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Art. I. *The Administration of Criminal Justice in England, and the Spirit of the English Government*; translated from the French. By M. Cottû, Counsellor of the Royal Court of Paris, Secretary-General of the General Council of the Royal Society of Prisons, and of the Special Council of the Prisons of Paris. 8vo. pp. 312. Price 9s. London. 1824.

CRIMINAL jurisprudence is an awful subject. Whether considered as an abstruse and difficult science, or as a system of practical remedies for those moral disorders that disturb the tranquillity of social and civil life, it presents some of the most important problems that can exercise the intellect of man. Every rightly-framed mind must feel a trembling solicitude for the efficacy of penal regulation: every sincere lover of his species must be ardently willing to remove and obviate its deficiencies.

M. Cottû's work, which we did not intend to leave so long unnoticed, has received, we are disposed to think, its full share of reputation. It were invidious to inquire, whether its merits are in a due ratio to that reputation; nor are we inclined to lessen the value of the general suffrage, by pointing out the several instances in which it may have been unthinkingly awarded. Many circumstances concurred to give it, on its first appearance, unusual popularity both in France and England. On this side the water, it was natural to receive with unwonted partiality the testimony of a foreigner, and, above all, of a Frenchman, in favour of our municipal institutions,—of those institutions which we justly hold the dearest, because we habitually look to them for the protection of our lives and our liberties. The work, therefore, being a continued panegyric upon a code of jurisprudence which, with many defects, is so dear and venerable in our eyes, made a

direct appeal to the warmest of our national affections. The peculiar candour also, with which it canvassed the defects, or rather vices, which disfigure the criminal polity of his own country, the pride derived from the comparison, and the weight necessarily attributed to the opinions of a writer who was expressly sent over to us by the French Government, to study the mechanism and the operation of our trial by jury, as a step towards the revision of their code by their two chambers of legislation;—all this had no imperceptible effect in securing for M. Cottû's treatise, the approbation which was so generally and so ungrudgingly given it. Its popularity in France naturally arose from the universal impatience, which prevails throughout that country, of the existing system, and which, in this instance at least, seems to have suspended the workings of national vanity on behalf of every thing that is French, and the morbid irritability which our kind neighbours usually feel, when any thing English is praised or recommended. The perplexed involution,—the clumsy and oppressive heaviness of their own penal law,—the slow and lingering movement of their processes and formalities, but, more than these, the manifest partiality and obvious injustice of the greater part of their criminal procedure, alike felt and deplored by all who think or feel through every province of that great kingdom, have long demanded something more than a revision. The appearance, therefore, of M. Cottû's book, excited among all ranks in Paris, the hope so long deferred and so often frustrated, of a complete reformation of a judicial system, which, in its present state, is equally odious and intolerable.

M. Cottû had many advantages for his undertaking. Recommended by our own Government to the judges on the Northern circuit, which he travelled with Mr. Scarlett, he lived at the same time with the Bar, who furnished him with many useful suggestions, and in every other respect zealously promoted his researches. When his book was finished, it had the further advantage of Mr. Scarlett's revision, who enriched it with many valuable notes on the spirit of the English constitution. Under so many advantageous circumstances, we cannot help remarking, that a better treatise might have been expected. To render it beneficial to France, (the only point of view in which it could be rendered useful at all,) it was doing but little, to exhibit a faithful, or even a flattering portrait of English jurisprudence. That jurisprudence might have been contrasted, feature by feature, with the system at this moment at work in France. "Look on this picture,—and on this!" The Author would thus have held out in stronger colours and



more distinct relief, to the eyes and the hearts of his countrymen, a code of criminal justice marked by so many odious inequalities, and working so much scandalous oppression, placed by the side of that equal and beneficent scheme which, while it throws so many securities around the innocent, is not devoid of salutary terrors to the guilty. The lesson derived from such a comparison would have been doubly impressive. Livelier emotions of disgust would have arisen in every humane and patriotic bosom, when the massy and deformed structure of their police and their judicature stood before them in a point of view contiguous to the simple majesty and harmonious proportions of the venerable fabric with which it was contrasted. M. Cottû has not, indeed, passed unnoticed the abuses which deform the code of his country; but has he dwelt upon them with sufficient emphasis? Its greatest fault, he observes, consists in the numerous difficulties and anomalies with which it is accompanied, and the languor and heaviness which impede its operation. But this, while it aggravates the mischief, is not the mischief itself. It is the arbitrary spirit of the legislator, which, by poisoning the fountains of justice, has tainted its remotest currents. In its actual operation, the whole of this unwieldy machinery appears to have been constructed, not for the protection of innocence, but for the discovery of guilt—a fatal error in the constitution of a criminal code, which, whatever be the elements that compose it, can never effectually punish the guilty, but by giving security and assurance to those who are not so. We must be permitted, therefore, to supply the defect of M. Cottû's treatise in this respect, and shall enter into a rapid review of the chief vices of the French criminal law, as they have fallen under our own personal observation in the tribunals of that country.

We begin with what in Great Britain would be called the commitment. The jealousy with which personal liberty is watched by the English law in the earliest stage of a criminal proceeding, cannot be more strikingly illustrated, than by glancing at the total insensibility of the French legislator towards this invaluable right.

‘ Upon the commission of a crime in England,’ observes M. Cottû, ‘ the injured party lays his complaint before a magistrate, who first swears him, and then delivers to a constable (an officer corresponding nearly with our police commissary) an order termed a *warrant*, commanding the latter to bring the prisoner before him, and to secure all the proofs of the charges. By virtue of this order, the constable proceeds to the prisoner's residence, apprehends him, if he can, and brings him, with the plaintiff and his witnesses, before the ma-

gistrate ; the latter hears them all separately, and, according to the circumstances of the case, leaves the prisoner at large, or commits him to prison. He then adjourns the further hearing of the case to the first convenient day : at the time appointed, the witnesses, and the plaintiff, accompanied by his *attorney*, come into court ; the prisoner is then brought up, accompanied also by his solicitor, if he has the means of procuring one. The magistrate takes down in writing the prisoner's declaration, together with the depositions of the plaintiff and his witnesses, as they are respectively elicited by the prosecutor's or prisoner's solicitor.

‘ These examinations take place in London in a room open to the public, by the magistrates in Westminster, and by the aldermen in the City. I have reason to think that the same system is adopted in the country, although I had no opportunity of being present there, as I had in London. After the examination has been drawn up, the magistrate, according to the nature of the crime, and the weight of the charges, discharges the prisoner altogether, or liberates him on bail, or makes out a fresh warrant, and commits him to the county gaol, leaving the proofs of the charge in the care of the constable, or plaintiff. He afterwards considers, according to the nature of the offence, to what court he shall send the prisoner, to the assizes or quarter sessions ; the plaintiff and all the witnesses are then bound in their recognizances, generally of forty pounds sterling, to pay this sum to the king, in the event of their not coming forward, at the next assizes or quarter sessions, one to prosecute the prisoner, and the other to give evidence to the circumstances within their knowledge. The recognizances and examination are afterwards lodged with the clerk of the assizes or quarter sessions, and the recognizance, if forfeited, is rigorously levied.

‘ Should the prisoner think himself wrongfully detained, he is at liberty, by virtue of the writ of *Habeas Corpus*, to complain to the court of King's Bench, who will examine into his case, and order his liberation or retention in gaol, according to the circumstances. But a proceeding of this nature is extremely rare, and it is hardly possible to cite even a few instances of it, owing to the very great precaution taken by the magistrates, in committing none to prison unless upon the strongest suspicions.’ pp. 33—36.

To these remarks, in the correctness of which we fully agree, the Author should have added, that in certain cases, the English law gives the accused party the right of being set at liberty upon bail, and that the demanding of excessive bail is forbidden under severe penalties by the act of William and Mary. Every one knows, that this is matter of common right, except in cases of atrocious crimes, where public justice might be eluded. Yet, even in these cases, circumstances may arise, where bail might reasonably be admitted, and where it would be hard and unjust, says Blackstone, to confine a man in prison, though accused of the greatest offence. This power may



be interposed by the King's Bench, or by a single judge of that court in the vacation.

In France, the *procureur du roi*, or the *juge d'instruction*, two functionaries whose duties are of a most indefinite character, and strangely confounded together, have the power of issuing warrants. (*mandats*.) But, while an English justice of the peace, a magistrate for the most part unsalaried, independent of the government, and inaccessible to its influence, is solicitously watched by the unslumbering eye of English law, and, for every wilful abuse of authority, is liable not only to penal animadversion, but to pecuniary compensation at the suit of the injured party,—these two officers, avowedly the creatures of the French government, called into existence by its breath, and devoted, by every motive of hope and fear, to its service, are wholly irresponsible, in the true and ordinary acceptation of that term. The code, indeed, contains a barren prohibition against the abuses of their power, but promulgates no penal sanction for the offence; and in fact, they are liable to no other forum than their own consciences, which, among persons of this description, are not tender to a very extraordinary degree. As for the *juge d'instruction*, his authority seems to have scarcely any other limits than his own discretion. He is armed with several weapons, and the entire liberties of France may be said to be at his disposal. He may issue, according to his pleasure, a simple *mandat de comparution*\*, which is merely a summons to the party. It is rare, indeed, that this lenient process is issued. There has gradually arisen a practice equally of dubious policy and oppressive operation, of calling in the gendarmes, a military police, into a perpetual alliance with French jurisprudence. Nothing is done without the intervention of this fearful engine. Hence, the *mandat d'amener*, a warrant of personal caption, is the most frequently resorted to. With us, unless in those cases where arrests may be executed without warrant, by magistrates, or even by private persons, viz. cases of felonies committed in their view,—with us, no warrant is granted without an examination upon oath of the party. A French subject may be seized by the gendarmerie on a *mandat d'amener*, without any previous accusation, and dragged through the streets with more than the ignominy of a convicted criminal. He is then interrogated in private by the magistrate, who may either send him to prison by a *mandat d'arrêt*, or simply detain him there *en état de dépôt*; a distinction of little importance, since it is equally imprisonment, by whatever name it

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\* Code d'Instruction Criminelle. Art. 40.

may be called. Nor is it an imprisonment for the mere sake of safe custody, or of that mild and humane description which is enjoined by our own law. It is generally a stern coercion equivalent to the severest legal infliction, and the prisoner may be *mis au secret*,—a term which the humanity of our language refuses to translate, and which is in effect a series of cruelties (we shall describe them hereafter) that makes the abolition of torture and of the inquisition in that country, little more than an empty and nugatory boast.

It will be asked, Who are these magistrates, by whom constituted, who are thus enabled to wield an authority which human beings, conscious of their common infirmity, would tremble to exercise? By what slow and toilsome gradations of study, have they reached any thing amounting to a fair moral competency, that constitutes them the arbiters of the lives and liberties of their countrymen? It were surely not exacting too much from functionaries clothed with such powers, and armed with such instruments, to demand a long life of laborious application to juridical science—the *viginti annorum lucubrationes* of Lord Coke; the ripened experience of sages, who had grown pale over the midnight lamp, in collating, comparing, and digesting all the treasures of ancient and modern wisdom. But if these rare qualifications do not exist among them, it might be expected that their character and their virtues would be included in their titles to so awful a duty. Certain requisites at least might be looked for;—for instance, persons of mature age might naturally be expected to exercise more circumspection and prudence in handling such delicate matters as the lives and fortunes of their fellow men, than a raw and rash tyro who has only taken his first degree in the faculty. The husband, the parent, would be more susceptible of kind and benevolent feelings to mitigate these dreadful and severe offices, than he who has no family; ‘for wife and family,’ says Lord Bacon, ‘are a kind of discipline of humanity, and single men are cruel and hard-hearted, because their tenderness is not so often called upon.’ Those, also, who have been long trained to public functions, will be less conceited, less puffed up by their little brief authority, than the beardless youths who are suddenly snatched from their studies, and transplanted into public offices. These, however, are not the attributes which direct the selection of *procureurs du roi* or *juges d’instruction*. They are chosen for qualities little above those of husbandmen at our statute-fairs. For, as the French code has rendered these magistracies to the last degree complex and laborious, the first, nay, the only requisite which determines the choice, is vigour of age. The Bar supplies young men in the fullness of their



strength, fit for labour, and whose zeal and activity may be easily employed to the service of the government. The office of *procureur du roi* in almost every provincial court of the kingdom, is filled by a deputy taken from the lowest ranks of the bar. His judgement and moderation, therefore, in the grave and awful duties that are entrusted to him, will be necessarily on a par with his years and experience.

The *mandat d'amener* does not, indeed, empower the *procureur du roi* to commit the prisoner. It is, however, nearly the same thing, for he remains a deposit in the hands of justice, (*en état d'amener*,) till the *juge d'instruction* has decided how he is to be disposed of\*. This, as will be seen, is a miserable sophism of the code,—a solemn and cruel irony, which mocks at the liberty it destroys. For, although these warrants are issuable only† in cases of flagrant délit (*flagrans delictum*), and when corporal or infamous punishment is incurred, or where an offence is committed in a dwelling-house, and when the master of the house calls on the *procureur du roi* to inquire into the matter;—yet, in all these cases, if the accused be on the spot, he may be instantly seized, or, if absent, be taken by a *mandat d'amener*. And though the code does not, *totidem verbis*, authorize an imprisonment, still, that imprisonment actually takes place; nor is its hardship at all alleviated by the sophism of being *en état d'amener*. And the right of issuing these warrants is also given to the *juges de paix*, to the officers of the gendarmerie, the commissaries of police, the prefects of departments, and the prefect of police at Paris. To what an extent also may the words 'flagrant délit' be interpreted! By law, indeed, the actual imprisonment of the person is not warranted, until an examination has taken place, and the facts resulting from it are sufficient to authorize it. But these precautions are shamelessly evaded. Where is the remedy? The injured party complains. But the officer entrenches himself in the immunity given by the code to all acts officially done, unless the prosecution is authorized by the *conseil d'état*; a board resembling our privy-council, composed of the ministers and those peers and deputies who give them their political support. It is remarkable, that the grossest want of formality, even in the *mandat de dépôt*, the instrument which consigns a man to a dungeon,—an omission even of his right name, or a wrong description of his offence, so that he may be ignorant of what is laid to his charge—an error, too, which may sometimes, for grave state-purposes, be designedly committed, and by virtue of which blunder he may

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\* Code d'Instruct. Crim. art. 40. Ib. art. 46. † Ib. art. 48, 49.

lie in gaol *for an indefinite period*,—is only liable to a fine of fifty francs\*. And this fine is to be levied—on whom? Not on the officer who executed the warrant, but on the *greffier* (registrar) through whose office it passed!

In cases where only what is called *la peine correctionnelle* is incurred, a summons is issued, (*mandat de comparution*,) which is an order to appear for the purpose of undergoing interrogatories. If the party does not appear, a *mandat d'amener* is executed; and, in case of resistance, the officer may call in the aid of an armed force. But the code peremptorily enjoins that the interrogatory is to take place within twenty-four hours at least. This provision, as must necessarily happen where the legislator does nothing more than enter a vague direction on the statute-book, is shamelessly evaded. It is the daily practice, as if in mockery of that direction, to convey the party to a prison where he remains several days before he is interrogated. Nay, it often happens, even after the interrogatory, when, according to the code, he ought either to be discharged, or committed for trial, that he is kept in imprisonment under that convenient, but indefinite fiction, *en état de mandat d'amener*.

The *juge d'instruction*† is the only magistrate who can legally commit, and that only by a *mandat de dépôt*, or a *mandat d'arrêt*. As to the prisons themselves, they would furnish a mass of details disgusting and sickening to humanity. In the departments, they are crowded, infected, and damp. In many of them, twenty or thirty out of a hundred have perished annually, of epidemic disorders, arising from neglect and uncleanness. The gaolers, 'seldom the friends of man,' carry the rigours of their office to a wanton and tyrannical excess. Men of letters confined for libels and other political offences, and persons detained only for debt, are doomed to a close and inevitable contact with the vilest criminals of both sexes. M. Beranger‡ mentions a fact, which is but too well authenticated; we would gladly disbelieve it, if we could. A young lady of high birth and elevated rank, had, shortly after the Bourbon Restoration, been condemned, for a political offence, to *peine perpétuelle*; but, so scanty were the accommodations of the prison, that she was obliged to endure, night and day, the society, and to hear the converse of twelve abandoned women. That Writer heard her, as he tells us, breathe her complaints against the moral torture which was thus inflicted upon her. 'I was on the very point,' she said, 'of suffering capital punishment, and I saw

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\* Ib. art. 112. † Ib. art. 107. and 111.

‡ "De la Justice Criminelle en France," Par M. Béranger. Paris. 1818. p. 585.



‘ those who were convicted with me, marched to the scaffold. Death indeed was terrible to my apprehension ; but the miseries I am now undergoing, are a thousand times worse ; for the language which I am compelled to hear from the depraved wretches around me, is a slower and more lingering death than that from which I was saved. I envy the fate of my friends !’ It is true, that the *juge d’instruction* is directed to visit the prisons in his *arrondissement* ; and every president of assizes is also required to inspect the *maisons de justice*. These duties have dwindled into an idle formality, for no penalty attaches to the neglect and non-execution of them.

We promised to say something of the *mise au secret*, or secret confinement ;—that stain of French justice,—that reproach of a gallant and enlightened nation ! If we describe it as it exists in the fulness of its horrors at this very moment, we are conscious that we shall make a more than usual demand upon the faith of our readers. It is well known, that the *question*, that savage relic of the old law of France, was finally abolished on the 9th October, 1789. But, from the fancied necessity of obtaining confessions, or the revelations of accomplices in certain cases, there has gradually grown up a new species of torture, under which the stoutest frame and the most stubborn courage must at last sink. The facts which establish the existence of this merciless procedure, are beyond all controversy ; and although we would indulge, for the honour of our common nature, a reluctance to believe it, yet, the details of its frequent practice are too numerous and well authenticated, to admit even of that dubious solace.

The victim of this accursed torture is thrown into a narrow dungeon, damp and paved with stones, and from which fresh air is entirely excluded. If a ray of light finds its way into this gloomy cavern, it is only through the intervals of a small grated window, or rather hole pierced through the wall. The furniture is one miserable French blanket. Neither chair nor table is permitted, so that the prisoner is obliged to stand upright, or lie down. Every employment in which the mind might find a slight escape from its miseries,—books, paper, pens, are strictly excluded. A scanty portion of bread is all his aliment, and even that portion is sometimes designedly withheld from him. From time to time, he is led out of this sepulchral cell to undergo an interrogatory ; but his recollections are confused, and his answers perplexed and contradictory. The hesitations, the embarrassments of the wretch are turned by this beneficent process into fresh heads of accusation. There are instances of its having been continued for 150 days. M. Béranger, whose work we have just cited, was present at a

a trial before a court of assizes. The offence was a political one, and the principal proofs, except those which were attempted to be extorted from the prisoners, were furnished by the agents of police.

“ “ You contradict yourself,” said the president, addressing one of the prisoners, “ in many of your answers.” “ Sir,” answered that unhappy being, “ I have undergone so many interrogatories, that I hardly know what I am saying. I have been *au secret* !! This torture I suffered 100 days. For fifty hours I received no food, and thrice in that time I was interrogated. The last time was at midnight, and I could scarcely stand for hunger. When I was carried back, I asked for bread. It was refused as being beyond the usual hour of distribution. I remained six weeks without change of linen or water to wash in. My wife tried frequently to bring me a few necessary articles;—in vain. My three first interrogatories were succeeded by twenty others. If the scaffold had then been offered me, I should have thought it a mercy. My reason was shattered. When the judge interrogated me, I had lost my recollection. ‘ You hesitate,’ said he; ‘ you contradict yourself; you are agitated—then you are guilty.’ Now, Mr. President, can you be surprized, if you find some contradictions in my answers.” The appearance of the man bore full testimony to the sufferings he described. The crowd shuddered with horror. A loud murmur burst forth, and it was with some difficulty that order could be restored.’

It is nugatory to deny the existence of this dreadful practice, because it rests upon no direct enactment in the code. If it actually exists, no matter whether it is avowedly sanctioned, or arises out of a legal ambiguity, France has gained little by the solemn abolition of torture in 1789. It is, in truth, a revolutionary revival of torture adopted in the worst of times, and is now one of the saddest memorials of that guilty period.

After this melancholy episode, we resume our delineation of a French criminal process, of which we have only entered into some of the preliminary formalities. The first step after a summons or apprehension, is the interrogatory of the prisoner. It is remarkable that the Revolution, in the fermentation of which so many dreadful abuses were worked off, should have left this odious feature of the old law untouched. The interrogatory, however, of the ancient regime was of a much milder character. It was, indeed, conducted in secret, as at present, but the jurists divided interrogatories into *immediate* and *suggestive*; the former being such as bore directly on the subject-matter, the latter being such insidious and circuitous questions as answer to our cross-examinations of witnesses. The former kind were, then, the only ones permitted: a single suggestive interrogatory vitiated the whole proceeding. At pre-



sent, not only is this odious part of the French law carried on *in secret*, but the magistrate who puts the interrogations, invariably displays all his professional skill and acuteness in making the accused party betray himself. Not unfrequently the examination takes place at night, when the prisoner is suddenly awakened out of his sleep, and in a state of mind far from being sufficiently unclouded to undergo it; when it is not uncommon to tell him that the matter is already detected, that his accomplices have revealed every thing, and that it will no longer avail him to deny his guilt. All his answers, taken at different examinations, are put together, and afterwards form a part (unhappily too important a part) of the proceedings.

We can scarcely move a step in travelling through the present mode of criminal proceeding, without finding traces of the old law. Of these, the most obnoxious usages are those which respect the examination of witnesses; but will it be imagined, that a witness is summoned, interrogated by the *juge d'instruction*, and his answers written down by the *greffier*,—and that all this passes neither in the presence of the prisoner nor of his counsel? A malicious witness, therefore, may depose to the most unfounded falsehoods without check or restraint;—a dark, tortuous, disingenuous procedure alike at variance with common sense and justice. Hence, also, a witness, his depositions being thus taken down and remaining on record as memorials against himself, will naturally adhere to them afterwards, with the tenacity of a man jealous of his credibility, and anxious to prop it up by inflexibly and obstinately persisting in his first allegations.

These proceedings, viz. the examination of the prisoner and that of the witnesses, (both private,) being now completed, they are next submitted to the chamber of council, consisting of three judges, one of them being the *juge d'instruction* himself, who has hitherto conducted the whole business, from the warrant to the present stage of the proceeding. There is an inherent self-love in our natures, that makes us expert sophists where our own penetration or judgement may be called in question, and renders us more enamoured of our blunders, than disposed to repair them. It would have been sound policy to exclude this officer from the chamber, where, in fact, he sits in judgement on his own acts. Be this as it may, he makes his report to the chamber, who sit with closed doors. The prisoner is not present, either personally or by counsel;—so that if the *juge d'instruction*, who has himself reduced the several depositions to writing, (and that too in his own style and language,) has designedly spread any colouring or exag-

generation over it, the prejudice must inevitably be imparted to his colleagues, who can only see with his eyes, or judge with his feelings. If two of the judges deem the proofs insufficient, the accused is *hors de cour*, (out of court,) and there is an end of the proceedings: if sufficient, they then determine the class or category of the offence; viz. whether it is one which induces criminal, or only correctional penalties,—a distinction which, in some degree, corresponds to our classification of offences—into felonies and simple misdemeanours. Here, however, we start a strange and unaccountable absurdity. We have just seen, that a majority of the three is required to decide as to the sufficiency of proof; but, if a single voice pronounces the offence liable to *peines afflictives ou infamantes*, (corporal or infamous,) the culprit is sent before the criminal tribunal. Nine years experience have testified, says M. Béranger, that this single voice is that of the *juge d'instruction*. The proceedings are now ripe for the *procureur du roi*. But what can more strikingly demonstrate the clumsiness of the machine, than the cumbrous intervention of the chamber of council, consisting of three judges, in which a single person only is empowered to qualify the offence, and determine thereby the jurisdiction where it is cognizable,—a question by far the most important in the preliminary part of the proceedings?

At length, however, and for the FIRST TIME, the accused party is allowed to say something for himself, and to give in such memorials as he thinks fit. Up to this time, he has remained a stranger to the proceedings against him, and, specifically speaking, has neither been made acquainted with his accuser nor his accusation. He has been kept also in the same ignorance of the names and depositions of the witnesses. He has had to fight, with his eyes blind-folded, an armed adversary. To the poor, the drawing up of their memorials is a heavy and insupportable expense; and five days only are allowed, before the chamber of accusation, consisting of five judges, (the next link in this interminable chain of procedure,) comes to a determination. No other document forms the basis of that determination than the report of the *procureur generale*, who, as soon as their decision is notified to him, proceeds to draw up the *acte d'accusation*, or indictment. It is by means of this instrument, in fact, that the prisoner becomes first acquainted with the crime laid to his charge. It is the basis, moreover, of all the future proceedings, and is the most important document in the whole process. But, in the drawing of this paper, all the technical rule and regular principle, the



precision and accuracy of an English indictment, are wholly disregarded. On the contrary, it is swelled out to an interminable length, and abounds with those ornaments of rhetoric, so misplaced in such an instrument, but which are never unwelcome to the ears of a Frenchman, whose intellect is not to be reached but through a rhetorical medium. It sometimes exceeds forty folios, and occupies three hours of the trial in reading.

And here we must again remind our readers of the torturing slowness, the leaden, funereal pace of a French criminal process, by shortly recapitulating the several halts which are made in it, and which render the 'law's delay' in that country, one of the most intolerable of its grievances, while it oppresses the innocent with those hopes deferred that make his heart sick, and dooms him to suffer, in many respects, the penalties of guilt. After the first interrogatory, he is, as we have seen, remanded to prison. Once lodged there, the law is seized with an unaccountable lethargy. The *juge d'instruction* has now to prepare the *procès verbal*, and to examine the witnesses; but these duties are stimulated by no penalty or responsibility for a negligent or relaxed execution of them. Distracted by a variety of similar proceedings, all going on at the same time, like the lawyer in Tom Jones, he probably wishes himself cut into twenty pieces, while the prisoner, who, in his dungeon, is vainly invoking the tardy genius of French jurisprudence, must wait his leisure. At last, however, his report is ready for the chamber of council. Here another delay takes place, for the whole procedure must be previously submitted to the *procureur du roi*, on whose table it probably slumbers unobserved for several days. When it reaches the chamber, in common probability the instruction is found incomplete, when a further investigation is ordered; so that, after several months have been consumed, and after so profuse an expenditure of ink and paper, the proceeding at last draws its slow length, like the wounded snake, into the court of assizes. Yet, even here, a delay may occur. If Mr. *Procureur du roi* can shew sufficient cause for not bringing on the case immediately, he may move to put off the trial. The result is, that it rarely happens in France, that a prisoner is brought to trial within nine months from his commitment.

But he has now passed through the unmeaning labyrinths, the "passages that lead to nothing," which retard the preliminary parts of his process, and has reached the court where his fate is to be decided. Here we look in vain for the humanity, the tenderness, the compassion which temper the execu-

tive justice of England. Well might the words of Macheath be put into the mouth of a French criminal :

‘ The Judges are met,  
A terrible set.’

His look, his voice, his gesture, are interpreted against him. If he has not the confidence of hardened guilt,—if his answers to the interrogatories (often continued for three successive days) are confused or at variance with the *procès verbal*, (which he is not allowed to see,) a fatal impression is felt against him, from which neither the ordinary firmness of the jury, nor the religion of their oath, is sufficient to guarantee them. M. Berryer, one of the counsel of Castaing, lately tried for murder at Paris, alluding to the various contradictions of the prisoner, so unfairly pressed against him by the judge who interrogated him, justly exclaims :

‘ Is it so very remarkable then, that, charged with so foul a crime, distracted by the recollections of his parents, his infant,—the friendship he is supposed to have betrayed,—affrightened himself by the contradictions into which he has been goaded, and forming against him a perplexed series of inferences fatal to his innocence,—is it strange that he should hesitate and feel alarm on so awful an occasion, in the presence of death, which is soon to usher him before his Maker? What must be the feelings of a man thus called upon to throw his life, in the very flower of his years,—all that is dear to him, upon the uncertain issue of a public trial, and to trust only to the infirmity and frailty of human judgements?’\*

The oath administered to the jury has this particularity : it is not ‘ to try the issue joined according to the evidence,’ but, ‘ according to their consciences as good and just men;’—a vague, and often the most dangerous criterion by which fallible beings can decide. The *acte d’accusation* is then read, which, in Castaing’s case, (we adduce it only for an example,) occupied fifty-six closely printed octavo pages, and, during the reading of which, the court was twice adjourned. It is, in other words, a long pleading, in which every presumption hostile to the prisoner is urged, all his contradictions in the *procès verbal* are insisted on, and all the probable topics of his defence are refuted. Who could suppose, that, in a bill of indictment, the most insignificant circumstances would be stated with so much pomp of phrase, as in the following passage,

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\* “ Procès complet d’Edme Samuel Castaing, docteur en médecine.”  
Paris, 1823.



which we copy from the *acte d'accusation* in the case of Castaing?

‘Moreover, before the death of Auguste Ballet, and whilst they were at the auberge together, he (Castaing) took especial care, contrary to the ordinary usage, to pay for every thing from hand to mouth, as it was brought to them. A circumstance which they who have been accustomed to observe upon the mind of man, will not deem unimportant. It is evident, that Castaing wished that every body about him, should be pleased with him, and entertain towards him the good will that is ordinarily excited by kindness.’

We cite this sentence at random, as a specimen of the materials which compose an *acte d'accusation*.

Perhaps, the most striking contrast between the forms of an English, and those of a French court of justice, would be found in the style, spirit, and mode of address to the jury, made in the two countries by the respective counsel for the prosecution.

‘The counsel for the crown in England,’ observes M. Cottù, ‘lays before the jury a summary of the case, which is nothing but a more detailed and circumstantial repetition of the indictment; guarding himself, however, from every sort of invective against the prisoner, and making no reflections on his depravity. Facts must speak, and the counsel is forbidden to excite feelings which must be called forth by them alone. The counsel finishes by saying that he shall call witnesses to substantiate the charges against the prisoner. This opening address very seldom lasts more than a quarter of an hour.’

The French advocate rarely exhibits this degree of moderation. An opportunity occurs of exhibiting himself to advantage, and it is one which no French man, French woman, we had almost said, French child, has sufficient resolution to resist. In place, therefore, of a calm statement of facts, the public prosecutor delivers a long rhetorical discourse, which is a sort of commentary upon the *acte d'accusation*. Every common-place which the hackneyed subjects of human crime may call to his recollection, every figure of a laboured and artificial eloquence, is marshalled against the unhappy wretch at the bar, of whose destined punishment these dull and vapid effusions are no slight aggravation; and though equally alien from good taste and humanity, they seldom fail in stifling all sympathy or pity that might be felt in his behalf. Cicero himself could scarcely have denounced Catiline with more impassioned declamation, than that employed by a *procureur general*, to obtain the conviction of a person accused of any of the common offences which usually fill an *assize-calenda*. It might be imagined

that the government itself was shaken to the centre by every felony and misdemeanour committed within its frontiers.

But the prisoner has still to undergo an ordeal, compared to which, all that he has yet experienced is light as air; viz. his public examination by the president of the court;—a member, be it observed, of the chamber which sends him to trial, and, therefore, in most cases naturally disposed to support an accusation, the failure of which would be an imputation on his own decision. Accordingly, on this occasion, all the professional ingenuity and skill imparted by the long habit of framing questions fitted for extorting an absolute confession of guilt, or bewildering him in a labyrinth of contradictions, which answers the same end,—all this is played off upon delinquents for the most part ignorant of the meaning of the questions, and wholly unarmed against the insidious and dangerous effect of them.

‘The president,’ says M. Cottû, ‘questions the prisoner.... Who is the president?—a member of the royal court which has placed the prisoner in a state of accusation; a colleague of the attorney-general or officer who supports the accusation; finally, a magistrate charged with detailing the proofs of it to the jury: the honour of the body to which he belongs, his connections with the accuser, the interest of his own reputation, every thing induces him, imperceptibly, if not to hope for the success of the accusation, at least to fear lest some of the proofs upon which it is founded, should escape the experience of the jury.’

‘He questions the prisoner!.... We have seen how severely: persuaded almost the whole time of the certainty of the crime, his object is to draw an absolute confession from the culprit: he presses, twists, and turns him, scarcely allowing him time to breathe; and if the prisoner manifests an insuperable resistance, he becomes angry and exasperated, and almost his enemy.’

A more unequal conflict can hardly be imagined. Just emerging from the gloom of a dungeon, the criminal is called on to play the principal part as in a theatre, where a thousand eyes are upon him. Is it to be wondered at, that he should answer with hesitation and embarrassment, or even disclose circumstances that may lead to his conviction? The judge-president, on the other hand, has every advantage. The answers of the prisoner before the *juge d'instruction* are in his hand. If his answers on this occasion vary from those which he gave formerly, the jury are reminded of the contradiction in terms strongly implying that the variance is deemed a proof of guilt.

No ear attuned to the sounds of humanity or justice, but must shrink with horror from such an examination, continued



sometimes for several days, and conducted against a poor, trembling delinquent, sinking beneath the consciousness of crime, and deserted by his faculties in this awful hour of his tribulation. How forcibly does the humane intimation of a British judge, when an imprudent declaration is ready to escape the lips of a prisoner, 'to take heed lest he convict himself'—how forcibly does this recur to our recollection, as if to heighten the savage deformity of the French practice! There are, indeed, sophisms ready at hand to defend the most disgraceful procedures; and even M. Cottû, while he reprobates the examination of the prisoner, ascribes it to the ardent love of truth inherent in his countrymen. But, though the detection of crimes may be necessary to social welfare, let it be understood, that it never receives a severer wound, than when public justice is at variance with humanity and mercy.

This ardent love of truth has generated several lamentable errors in the judicial system of France, and we meet with them in the next stage of the trial—the examination of the witnesses. After the examination of each witness, M. Cottû states, the president puts fresh questions to the prisoner, and fresh falsehoods occur on the part of the latter, with still increasing animosity on the part of the judge. It is a sacred maxim in an English court, that what are called leading questions, such as give hints or suggestions to the witness, are strictly forbidden. In France, the examination of the witnesses is not conducted by the counsel, who can ask no question but through the mouth of the president, who shapes it in his own way, and most frequently, it may be added, to answer his own object; which, we lament to say, is, in almost every instance, the conviction of the offender.

By article 315 of the Code d'Instruction, the prisoner is furnished with a list of the witnesses only twenty-four hours before the trial. It may be said, that he would have had no earlier notice (except in high-treason) in England; but the previous examinations before the magistrate in the presence of the prisoner, must have afforded ample intimation of the names and characters of those who are to testify against him. Passing this by, however, the law which authorizes the president to call any person he pleases to elucidate the matter, and which absolves the person so called from the solemnity of an oath, adding at the same time, that the declarations of a person so called, are to be considered only as *renseignements*, is vicious, absurd, and mischievous. Whether the evidence of such a man is called testimony or *renseignement*, they are both attestations of fact. Granting that there

is a distinction between them, what are the respective portions of weight attributable to each? There may be cases, wherein the *renseignement* has more force than the formal deposition. The distinction calls to our mind the old juridical practice, according to which, proofs and half proofs were put into the scale, and extended by the celebrated parliament of Toulouse to quarters and eighths; subtleties which not only render the study of law perplexed and contradictory as an artificial science, but work irreparable evil, where the life and fame of a fellow-creature are involved in the decision; which substitute for fixed and unbending rules of evidence, the most vague and unlimited discretion,—breaking down the sanctions and the solemnities by which judicial truth is distinguished from the random, mis-shapen, arbitrary asseverations of coffee-house or tea-table gossip. Nor is it unusual, when the prisoner, or his counsel, desires the president to put a specific question, for the latter to hem and haw about its relevancy. Frequently he refuses to put it at all without such modifications as wholly defeat its purpose. This is not all. The witness wishes to rectify his deposition; and if the alteration is favourable to the accused, he is brow-beaten and intimidated. His first declarations before the *juge d'instruction* are quoted against him, and he is threatened with being punished for prevarication, if he persists; one of the many mischiefs resulting from the secrecy of the preliminary part of the proceeding, by enabling the judge, who, according to the spirit and practice of French jurisprudence, is the prosecutor, to reproach both the prisoner and the witnesses with their contradictions, and to compel the latter to give unfair and biassed testimony. The witnesses being heard, the time arrives for the defence, which is stated by the prisoner's advocate, (or, if more than one, advocates in succession,) to which the advocate-general has a right to reply. It is much to be lamented, that the same extravagant and exaggerated species of discourse, which we reprobated in the prosecuting counsel, is resorted to, if possible to a much greater extent of overheated statement or sophistical reasoning, by the prisoner's advocate. To this, M. Cottû bears a strong testimony.

‘ To prevent a conviction for the most palpable crimes, we see young barristers, of gentle manners, unblemished integrity, of pure and inflexible principles, throwing doubt on the most irrefragable proofs; fabricating suppositions devoid of all probability; laying down maxims subversive of morality and social order; infusing guilty terrors into the simple minds of the jurors, and deriving a vain and empty joy in having snatched a scoundrel from due punishment.

‘ Sometimes, to crown all, the attorney-general replies, and the



counsel answers him. Fresh vehemence on both sides. The court becomes a perfect arena, where the passions have full play; exaggeration is pushed to madness, and the prisoner's life is disputed with a fierceness which disgusts the spectator and makes the stranger shudder.'

And now we are arrived at a period of the procedure, which, in our own courts, inspires a still but awful solicitude—we mean the summing up by the president. From this solemn and dignified duty, the collisions of zeal and the strife of the passions, which necessarily agitate the controversies of the bar, are religiously excluded; and the magistrate, from the sacred and serene seat of justice, a height inaccessible to prejudice or partiality, nicely, and cautiously, and humanely adjusting the balance of facts and probabilities, by a steady and unwavering light, guides, without impelling, the jury to a sound and safe determination. Alas, this is the vision of the fancy, rather than a slight approximation to the mode in which this essential duty is discharged by the president of a criminal court in France. Let M. Cottù be heard,—an unexceptionable witness.

'The president sums up the case!..... A recapitulation ought to be an impartial exposition of the charges against the prisoner, and of his grounds of defence: but is it in fact so?—unhappily, we are forced to acknowledge that it is but too often a tissue of fresh arguments against the prisoner, the extravagance of whose counsel sometimes, it is true, reduces the president to this sad necessity: but it often happens that the resentment which he himself has retained during the course of the trial, acts involuntarily on his mind, and induces him, without his suspecting it, to insist more forcibly on the proofs of guilt, than on the arguments urged by the prisoner in his favour.'

With our eyes fixed upon the numerous difficulties, as we have rapidly sketched them, which the delinquent has to combat,—bearing in mind, too, that the presiding maxim which governs every part of the proceeding is, that the conviction of the guilty is paramount to the deliverance of the innocent,—it is most distressing to recognize in the magistrate, whose opinions, if forcibly expressed, must have a powerful influence on the jury, the absence of every judicial quality or feeling. In summing up, how misplaced are pompous and antithetical sentences—epigrammatic or metaphorical expressions—as if, in the discharge of so delicate a duty, the judge could condescend to court the applause of the audience! To say in Westminster Hall, that a judge was eloquent in his summing up, would be the bitterest satire. It would, in fact, be equivalent to an imputation of being partial. He who is eloquent,

cannot be impartial. It is the very essence of eloquence to take a side, to uphold a tenet, and to inforce a peculiar series of impressions.

The jury now withdraw to deliberate. A few words, however, and only a few, upon a subject of great moment. A question may be well asked, before we speak about the trial by jury in France—whether that trial exists there at all? It is not in a name, that the virtue of that judicature resides. Unanimity of decision is so combined, in our ideas, with the trial by jury, that we cannot, with a safe conscience, admit that to be a jury, which decides by a majority of votes; and in France, a majority by one single voice, devotes a human being to the scaffold. For, when he is declared guilty by a majority only of seven to five, (as in the case of Castaing,) the judges join their votes to the majority of the jury, and thus the simple majority of the judges and the jury combined, decides the verdict. Suppose, then, that seven of the jury, (which consists of twelve, as with us,) agree upon a finding of guilty, whilst *three* judges out of the five vote for an acquittal, the *two* judges who vote for a verdict of guilty, by the union of their votes with the seven votes in the jury, form the majority; and thus the prisoner is condemned by nine votes against eight—the excess of one vote only in a case of life and death! But mark the absurdity, the monstrous absurdity of this regulation. The prisoner is in fact found guilty by the jury, and acquitted by the judges, viz. by each of those tribunals separately,—whereas, by this unnatural conjunction, he is convicted, although acquitted by a majority of that organ of the court, in which it must necessarily be presumed, that the greater discernment and judgement are to be found. Or state it thus. Two tribunals, upon whose *united* decision his fate is made to depend, come to diametrically opposite decisions. Is it not to be inferred from so marked a disunion of sentiment, that the guilt of the prisoner has been matter of great doubt? In the merciful system of English justice, every doubt is as beneficial to the prisoner, as if positive testimony was adduced in his behalf, for the jury are uniformly admonished to acquit in all such cases. But in France, in the case we have stated, there is more than doubt,—the positive determination of eight men in favour of innocence, while the preponderance of one single voice decides that innocence to be guilt! In truth, this heterogeneous admixture of magistrates and jurors, makes the trial by jury in that country a ridiculous misnomer.

M. Cottu, to our great surprise, has passed by all these considerations; nor are his remarks upon the question of unanimity



at all to our satisfaction. They are neither correctly nor luminously stated. As this, however, is an important judicial problem, it is fair that we should permit our Author to speak for himself; premising that, by the law of 1798, unanimity of decision was established in France with this modification only, That if, after a deliberation of twenty-four hours, the jury should not agree, then their verdict should be returned by an absolute majority; —and adding, moreover, on M. Cottû's authority, that during the existence of that law, viz. for twelve years, all the verdicts throughout France were unanimous, excepting forty only.

‘ The principal arguments opposed to this unanimity are, that, in the event of disagreement among the jurors, the unanimity to which they ultimately come, is never more than apparent, and that in fact it is but the forced submission of the smaller part to the greater; that on all occasions of a verdict against the prisoner, either by a simple majority or one of two thirds, the public ought to be satisfied, and should consider as certain that the remaining third are in their hearts of the opinion of the majority, and that if they refuse to agree with the rest, the reason is that some are prevented by a feeling of weakness, and the others are men of a stubborn and obstinate disposition, who have laid down for their guidance the anti-social law of never pronouncing a condemnation, however convinced they may be of the culprit's guilt.

‘ They assert, finally, that the system of unanimity produces no other effect than establishing a contest between the strong and the weak, in which victory must always rest with him whose mind and body can hold out the longest.

‘ To these objections, the partizans of unanimity reply; First, That it is wrong to assert that, by their system, the union of the minority with the majority is merely apparent; since whatever condescension may be supposed in the former, we can never so far think that, with a strong and deep conviction of the prisoner's innocence, they could ever be tired into a surrender to the wish of the majority; and that their compliance with this wish proves at least that they had an inward persuasion of the prisoner's guilt, although they might have wished for more positive proofs against him during his trial.

‘ Secondly, That if the public ought to consider as certain that the majority of two thirds really carries with it the assurance of unanimity, unless in cases where some of the jurors are determined, as it were, never to pronounce any condemnation, this becomes an additional motive to exact a public declaration of such unanimity; on one side, to force the weak from their last intrenchment, to cut off their shameful retreat, and compel them to march with the others to the assistance of society; and on the other, to break those refractory and systematic spirits who would be wiser than the law.

‘ Thirdly, that we must not suppose that the bold and firm will always be on the side of error or bad faith; but will frequently be found in the cause of justice, and aid it by their zeal and courage:

and that, lastly, if it be not mathematically impossible for a pertinacious and obstinate man to force the eleven jurors decided on condemnation, to abandon, by lassitude, their own opinion and adopt his, yet, this is a less inconvenience than the one resulting from the existing system, by which we see a prisoner condemned by a majority of eight out of twelve, when the four others are perfectly convinced of his innocence, and may openly proclaim their opinion in the highways.'

If we were justly surprised that M. Cottû should have passed by so important a feature in the criminal law of France, as the combination of the judges and the jury, we were quite at a loss to account for the slight and transient notice of many other provisions equally favourable to the stern despotism which frowns in every part of it. We cannot pursue the details, but they have frequently fallen under our personal observation. Our Author has dwelt with considerable emphasis upon the mode in which the points of a case are submitted to the jury.

'By the code, the question resulting from the act of accusation or indictment is the only one that should be submitted to their deliberation. Reason, indeed, pointed out that a prisoner could only be tried for the fact indicated in that act, without which the procedure relative to his being brought to trial would become useless. But when circumstances, unknown during the preparatory stage, came to modify the nature of the offence, are we to deem ourselves obliged, strictly, to present to the jury the question of the act of accusation, which would thus remain without an object? The code had not foreseen this difficulty.

'For instance, a man is seen descending from the window of a room in which a robbery has been committed: the articles stolen are afterwards found in his possession: he is presented to the jury as guilty of robbery with escalade.

'At the trial, the case is entirely altered; the witnesses, who at the hearing and examination had positively deposed to the prisoner being the person whom they saw descending from the window, hesitate in their testimony; but the circumstance of the property being found upon him remains in full force: he is unable to explain in what way it came into his possession.

'In this situation, we may conceive it possible for the jury to have some hesitation on the principal charge, this hesitation arising from a doubt of the prisoner being indeed *guilty* of the robbery; but they can have none on the collateral fact, of his being at least an *accessary* by concealing the articles stolen.

'The indictment, or act of accusation, however, makes mention of the *robbery* only, and is silent on the question of being *accessary*. What is to be done? Must we suffer the prisoner to be acquitted of the robbery, and remand him to undergo a fresh examination and committal, as an accessary, when it is plain that this committal must depend upon the same evidence as the former?



‘ The inconvenience flowing from such a system may be at once perceived : business impeded, crowded gaols, vast expenses incurred by the state for nothing, prisoners subjected to three or four successive arraignments, and growing grey in confinement, without the power of obtaining a definitive trial. Such a state of things was intolerable in practice ; nor does it indeed exist, provision having been made against it, as we are about to explain.

‘ The courts, finding in the code of criminal process, no means of obviating the abuse just specified, and feeling the urgent necessity of so doing, have fastened on article 338, by which a president is allowed, when there result from investigation during the trial one or more aggravating circumstances, to present to the jury a fresh question relative to them. From this, the courts have drawn the inference that the president was authorized to present to the jury all the points collateral to those of the act of accusation.

‘ Assuredly, the framer of the law was far from suspecting that this article would ever receive such an extension. He had only adopted it to furnish the means of perfecting the accusation, when it came to be aggravated by fresh depositions, proving a circumstance which was unknown at the examination, such as the being an accessory, escalade, or forcible entry ; but he by no means contemplated establishing the right of presenting collateral questions. Consequently, when the first complainants against collateral questions presented by the presidents of the courts of assize came before the court of cassation, this court was at first extremely surprised at the strange construction put upon article 338 ; but it was soon convinced of the impossibility, in practice, of foregoing a legal interpretation by which courts of assize acquired the power of presenting questions collateral with those of the accusation ; and that it was necessary, since the above latitude was not laid down in the code, to supply it by giving to one of its articles a construction so urgently required.

‘ But the wording of this article soon gave rise to another abuse, of which we daily experience the inconveniences. By its tenor, the president alone is to present the aggravating circumstance ; and in like manner, according to the allowed construction, it is still he who is authorized to present the collateral questions. Hence it follows, that, in a great number of cases, a prisoner’s fate is in the hands of the president.’

But, among the many provisions which denote an adamant and un pitying hardness of heart in the legislator, is that which excludes all compassion from the bosom of a juror. When they retire to deliberate, a mass of documentary evidence, the *acte d’accusation* and other papers extrinsic to the question before them, and which they are required to read, is put into their hands ; and it often happens that the perusal of them dissipates the favourable impressions made upon them during the trial. More than this. In the apartment to which they retire, appears in large characters, a memento taken from

the code\*. ‘ *Il est défendu aux jurés de penser aux dispositions des loix pénales, et de considérer les suites que pourra avoir par rapport à l'accusé, la déclaration qu'ils ont à faire.*’ So that if a punishment most outrageously disproportionate in point of severity, is annexed to the offence, the jury cannot so modify their verdict as to subject the prisoner to a more lenient penalty. It not unfrequently happens, that the president, apprehensive lest the jury should soften their verdict in consideration of the consequences of it upon the culprit, prohibits the penal code from finding its way to them, pending their deliberations.

We have now brought to a conclusion our sketch of that portion of the law of France, which pertains to its criminal process. Much yet remains to be said on an equally important branch of jurisprudence,—its scale of punishments. But we are admonished by the length of our article, that we must abstain, at least for the present, from that interesting disquisition. We take our leave, therefore, of M. Cottû, with general sentiments of satisfaction for the animated eulogy which he has pronounced upon the forms and the spirit of British jurisprudence, and with our sincere and inmost wishes that they may hereafter be infused into that of France, to mitigate its severities, and to correct its anomalies.

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Art. II. *A Summary of the Principles and History of Popery*, in five Lectures, on the Pretensions and Abuses of the Church of Rome. By John Birt. 8vo. pp. 176. Price 4s. London. 1823.

**A**T a time when Popery is making rapid strides, and Protestants in general have lost the zeal which once animated them, we consider the publication we have just announced as peculiarly seasonable. What may be the ultimate effect of the efforts made by the adherents of the Church of Rome to propagate its tenets, aided by the apathy of the opposite party, it is not for us to conjecture. Certain it is, there never was a period when the members of the papal community were so active and enterprising, or Protestants so torpid and indifferent. Innumerable symptoms appear of a prevailing disposition to contemplate the doctrines of Popery with less disgust, and to witness their progress with less alarm, than has ever been known since the Reformation. All the zeal and activity are on one side; and while every absurdity is retained, and every pretension defended, which formerly drew upon Popery the indignation and abhorrence of all enlightened Christians, we should be ready to conclude from the altered state of public



feeling, that a system once so obnoxious had undergone some momentous revolution. We seem, on this occasion, to have interpreted in its most literal sense the injunction of "hoping all things and believing all things." We persist in maintaining that the adherents to Popery are materially changed, in contradiction to their express disavowal; and while they make a boast of the infallibility of their creed, and the unalterable nature of their religion, we persist in the belief of its having experienced we know not what melioration and improvement. In most instances, when men are deceived, it is the effect of art and contrivance on the part of those who delude them: in this, the deception originates with ourselves; and instead of bearing *false* witness against our neighbour, such is the excess of our candour, that we refuse to credit the unfavourable testimony which he bears of himself.

There is, in the meantime, nothing reciprocal in this strange method of proceeding: we pipe to them, but they will not dance. Our concessions, instead of softening and mollifying, seem to have no other effect upon them, than to elate their pride and augment their arrogance.

An equal change in the state of feeling towards an object which has itself undergone no alteration whatever, and where the party by which it is displayed profess to adhere to their ancient tenets, it would be difficult to specify. To inquire into the causes of this singular phenomenon, would lead to discussion foreign to our present purpose. Let it suffice to remark, that it may partly be ascribed to the length of time which has elapsed since we have had actual experience of the enormous cruelties of the papal system, and to the fancied security we possess against their recurrence; partly to the agitation of a great political question, which seems to have had the effect of identifying the cause of Popery with that of Protestant Dissenters. The impression of the past has in a manner spent itself; and in many, its place is occupied by an eagerness to grasp at present advantages, and to lay hold of every expedient, for shaking off the restraints which a narrow and timid policy has imposed. The influence of these circumstances has been much aided by that indifference to religious truth which too often shelters itself under the mask of candour; and to such an extent has this humour been carried, that distinguished leaders in Parliament have not scrupled to represent the controversy between the Papists and the Protestants as turning on obscure and unintelligible points of doctrine, scarcely worth the attention of enlightened minds; while a beneficed clergyman of some distinction, has treated the whole subject as of no more importance than the idle disputes

agitated by the schoolmen. It was but a few years since, that a celebrated nobleman, in the House of Peers, vehemently condemned the oath of abjuration for applying the term *superstitious* to the doctrine of transubstantiation. In exactly the same spirit, the appellation of Papist is exchanged for Catholic,—a concession which the adherents of the Church of Rome well know how to improve, as amounting to little short of a formal surrender of the point at issue. For, if the Papists are really entitled to the name of *Catholics*, Protestants of every denomination are involved in the guilt of schism.

This revolution in the feelings of a great portion of the public, has probably been not a little promoted by another cause. The present times are eminently distinguished by the efforts employed for the extension of vital religion: each denomination of Christians has taken its station, and contributed its part towards the diffusion of evangelical sentiments. The consequence has been, that the professors of serious piety are multiplied, and form at present a very conspicuous branch of the community. The space which they occupy in the minds of the public, is not merely proportioned to their numerical importance, still less to their rank in society. It is in a great measure derived from the publicity of their proceedings, and the numerous associations for the promotion of pious and benevolent objects, which they have originated and supported. By these means, their discriminating doctrines essential to vital piety have become better known, and more fully discussed than heretofore. However beneficial, as to its general effects, such a state of things may have been, one consequence which might be expected, has been the result. The opposition of the enemies of religion has become more virulent, their hatred more heated and inflamed, and they have turned with no small complacency to the contemplation of a system which forms a striking contrast to the object of their detestation. Popery, in the ordinary state of its profession, combines the "form of godliness" with a total denial of its power. A heap of unmeaning ceremonies, adapted to fascinate the imagination, and engage the senses,—implicit faith in human authority, combined with an utter neglect of Divine teaching,—ignorance the most profound, joined to dogmatism the most presumptuous,—a vigilant exclusion of biblical knowledge, together with a total extinction of free inquiry,—present the spectacle of religion, lying in state, surrounded with the silent pomp of death. The very absurdities of such a religion render it less unacceptable to men whose decided hostility to truth inclines them to view with complacency, whatever obscures its beauty, or impedes



its operation. Of all the corruptions of Christianity which have prevailed to any considerable extent, Popery presents the most numerous points of contrast to the simple doctrines of the Gospel; and just in proportion as it gains ground, the religion of Christ must decline.

On these accounts, though we are far from supposing, that Popery, were it triumphant, would allow toleration to any denomination of Protestants, we have the utmost confidence, that the professors of evangelical piety would be its first victims. The party most opposed to them, look to Papists as their natural ally, on whose assistance in the suppression of what they are pleased to denominate fanaticism and enthusiasm, they may always depend; they may, therefore, without presumption, promise themselves the distinction conferred on Ulysses, that of being last devoured.

Whether Popery will ever be permitted, in the inscrutable counsels of Heaven, again to darken and overspread the land, is an inquiry in which it is foreign to our province to engage. It is certain that the members of the Romish community are at this moment on the tip-toe of expectation, indulging the most sanguine hopes, suggested by the temper of the times, of soon recovering all that they have lost, and of seeing the pretended rights of their church restored in their full splendour. If any thing can realize such an expectation, it is undoubtedly the torpor and indifference of Protestants, combined with the incredible zeal and activity of Papists; and universal observation shews what these are capable of effecting,—how often they compensate the disadvantages arising from paucity of number, as well as almost every kind of inequality.

From a settled persuasion that Popery still is, what it always was, a detestable system of impiety, cruelty, and imposture, fabricated by the father of lies, we feel thankful at witnessing any judicious attempt to expose its enormities, and retard its progress. The lectures published some years since by Mr. Fletcher, are well adapted for this purpose, and entitle their excellent Author to the esteem and gratitude of the public. "*The Protestant*," a series of periodical papers composed by Mr. Mc Gaver, of Glasgow, contains the fullest delineation of the popish system, and the most powerful confutation of its principles in a popular style, of any work we have seen. Whoever wishes to see Popery drawn to the life in its hideous wickedness and deformity, will find abundant satisfaction in the pages of that writer.

The Author before us has been studious of conciseness, and has contented himself with exhibiting a brief, but a very correct and impressive outline of that copious subject. As

these lectures were delivered at Manchester, it is probable the Author's attention was more immediately directed to it, by witnessing the alarming progress which the tenets of the Romish Church are making in that quarter. There is nothing in them, however, of a local nature, or which is calculated to limit their usefulness to any particular part of the kingdom. They are adapted for universal perusal, and entitled to an extensive circulation.

The first lecture is on the claim of the Church of Rome to the appellation of *catholic*, the futility and absurdity of which the Author has confuted in a concise but highly satisfactory manner. On this part of the argument he very acutely remarks, 'That no church which is not coeval with Christianity itself, ought to pretend to be the universal Christian Church.'

'The contrary sentiment is evidently unreasonable and absurd; for it supposes, that something which has already a distinct and complete existence, may be a part of something else which is not to come into being until a future period; or, which is equivalent to this, that what is entirely the creation of to-day, may include that which was created yesterday. This would be in opposition to all analogy; and therefore, if the Church of Rome had not an earlier commencement than all other Christian Churches,—if the origin of that Church be not coincident and simultaneous with the first moment of Christianity, then the pretension of the Church of Rome to be the "Catholic Church," is altogether vain. Now it is clear from the Acts of the Apostles, that many Christian Churches flourished in the East, before the Gospel was even preached at Rome. It was enjoined on the Apostles that their ministry should begin at Jerusalem, and in that city the first Christian church was actually constituted. Until the persecution which arose about the stoning of Stephen, Christ was not preached beyond the borders of Palestine, and even then, with a scrupulous discrimination, "to the Jews only." In fact, churches were formed in Jerusalem and Judea, at Damascus and Antioch, and the Gospel was sent even into Ethiopia, before there is any evidence of its being known at Rome.' pp. 10, 11.

The second lecture is an historical exposition of the principal events which led to the elevation of the Church of Rome to supremacy: in tracing these, much acumen is evinced, as well as an intimate acquaintance with ecclesiastical history.

The third lecture consists of a masterly delineation of the genius and characteristics of the papal ascendancy. In this part of the work, the judicious Author enters deeply into the interior spirit of Popery. After setting in a striking light, the seeming impossibilities it had to encounter ere it could accomplish its object, he enumerates the expedients employed for



this purpose under the following heads. The votaries of the papal see succeeded, 1. By enslaving the mental faculties to human authority.—2. By giving to superstition the semblance and sanction of religion.—3. By administering the affairs of their government on the corruptest principles of worldly policy. Each of these topics is illustrated with great judgement, and a copious induction of facts. On the last of these heads we beg leave to present to our readers the following extract, as a specimen of the style and spirit of this writer.

“My kingdom is *not* of this world,” said our Lord; “my kingdom *is* of this world,” is truly the sentiment of the Pope; and here lies the difference. The only consistent view of this Church, is that of a political establishment, employing indeed religious terms and denominations, but only as the pretext and colour of an inordinate pursuit of secular and temporal objects. Read its history as that of a Christian Church, you stumble at every step, and every period shocks you with the grossest incongruities: read the same history as of one of the kingdoms of this world, all is natural and easy, and the various proceedings and events are just what you are prepared to expect. The papal supremacy was conceded by an earthly monarch—all its interests have varied with the fluctuations of human affairs—and when the princes of this world shall withdraw their support, it will fall, and great will be the fall thereof. The bishops of Rome have ever pursued, under the guise of religion, some earthly advantage; and thus Pope Leo the Tenth exclaimed most appropriately, “Oh how profitable has this fable of Jesus been unto us!”

‘The first object of these subtle politicians, was to provide a revenue, ample and permanent. Kings and nations were accordingly laid under tribute, and to the utmost extent of papal influence, the treasures of Christendom flowed into the Exchequer of Rome. On every hand, art, fraud, and intimidation, were equally and successfully employed, in transferring the wealth of the world to the coffers of the church.

‘This was effected partly by regular ecclesiastical taxes, but principally by selling every thing the Church of Rome had to bestow, and by perpetually inventing new articles of bargain and sale. Hence the multiplying of sacraments; hence the sale of pardons, indulgences, benefices, dignities, and of prayers for the living and the dead. Every thing was prostituted; and under the pretence of being the “bride, the Lamb’s wife,” this church became the “mother of harlots.” In the same spirit, the death-beds of the rich were besieged, that they might bequeath their property to the Clergy; and the consciences of opulent criminals were appeased, in return for liberal donations to ecclesiastical funds. Thus an amount of riches almost incredible accrued to the papal treasury.’ pp. 94—96.

The fourth lecture is occupied by giving a rapid sketch of the most interesting events in the past history of the Romish community. We have seldom, if ever, seen so large a body

of facts exhibited with perfect perspicuity within so small a compass: the Author's complete mastery of the subject appears from the ease with which he has condensed an immense mass of historical matter, without the least indication of disorder or confusion.

The last of these lectures presents an animated and instructive view of the prospects which are opening on the Christian Church, and the probable issue of the causes and events which are in present operation.

The notice we have taken of this publication will, we trust, induce our readers to avail themselves of the instruction and the pleasure which an attentive perusal cannot fail to bestow. It is distinguished for precision and comprehension of thought, energy of diction, and the most enlarged and enlightened principles of civil and religious freedom; nor should we find it easy to name a publication which contains, within the same compass, so much information on the subject which it professes to treat. A little redundance of ornament, and excess in the employment of figurative language, are excrescences very pardonable in a young writer, and which more mature years and experience may be safely left to correct. On the whole, we cannot dismiss the work before us, without sincerely congratulating the Author on that happy combination of philosophical discrimination with Christian piety, which it throughout displays.

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Art. III. *Memoirs of the Public and Private Life of John Howard, the Philanthropist*. By James Baldwin Brown, Esq. LL.D. Second Edition. 8vo. pp. 689. Price 15s. London. 1823.

IN consequence of unfortunate circumstances connected with the original publication of these memoirs, the first edition escaped our cognizance. We are happy in availing ourselves of the present opportunity of supplying the omission. The absence of a complete biography of John Howard, left a blank in that portion of our literature which records the actions, and describes the characters of our English worthies. A few brief sketches of leading events and incidental circumstances, were all that existed in a permanent form; and the precious recollections of contemporary friendship were fast sinking into the oblivion of the grave. All this was the more to be regretted, as calumny, anonymous calumny, had been busy with the fame of "the Philanthropist," accusing him of gratuitous harshness and capricious tyranny in his domestic relations, and attributing to his stern and



unrelenting discipline, the mental aberrations of his son. This was, at best, a dastardly accusation. Howard was not living to answer for himself, and his assassin knew the difficulty, under the most favourable circumstances, of proving a negative; especially in a case that could be met only by complicated evidence, and minute as well as protracted detail. The slander was not suffered to go forth without immediate reply, though not of that specific kind which deprived the insinuations of the calumniator, of that shadow of plausibility which they derived from the peculiar texture of Howard's mind. Dr. Aikin, and other friends of the deceased, denied the imputations, and called indignantly for proofs. But it was reserved for Dr. Brown to take up the whole business in the only way that could set it at rest. His habits of legal investigation gave him many advantages, and of these he has availed himself with much patience and dexterity, in the collection and discrimination of a mass of testimony, personal, traditional, and documentary, bearing directly and satisfactorily on the point in question, and establishing, beyond all controversy, the falsehood of the charge. In fact, the motives which actuated its framer, were betrayed by the absurdly rancorous intimation, that Howard was a tyrannical husband and a harsh parent, *because he was a rigid Predestinarian!* Well might Dr. Aikin say, when writing in refutation of this base attempt to blot the fame of his illustrious friend: 'My hands tremble with indignation and horror while I copy it; and scarcely can I restrain myself within temperate bounds, whilst I refute a slander black as hell, against a man whose unparalleled benevolence rendered him the pride and ornament of human nature.'

Analysis of the comprehensive detail of facts which makes up the biography of this transcendent man, is, of course, completely out of the question. No regular series could be given, without trespassing on our limits to an extent altogether inadmissible. Nor has Dr. Brown been able to compress his ample materials within the compass of a single octavo, without the sacrifice of some interesting matter, and the exercise of a difficult, though skilful discrimination. We shall, therefore, merely advert to such leading circumstances as may tend to give specific illustration of the character of Howard, and as may connect themselves most readily with the observations that we may find it expedient to make.

John Howard 'appears' (for there is considerable uncertainty on the point) 'to have been born about the year 1727, at Clapton,' near London. His father, who had retired to the enjoyment of a considerable fortune, acquired in business, was a

Calvinistic dissenter ; and the son remained, through life, firmly and on principle, attached to the same religious profession ; although his views of doctrine and discipline, as an Independent, did not prevent him from cordially uniting in Christian worship, with pious men of different sentiments on non-essential points. His education, though not intentionally neglected, was entrusted, in a great measure, to tutors evidently incompetent, since we find him incapable of writing his own language with grammatical, or even orthographical accuracy. His original destination was to mercantile pursuits ; but, on the death of his father, he abandoned the warehouse, and left England on his travels through France and Italy.

‘ In this tour, he either acquired or strengthened that taste for the fine arts, which induced him, during his earlier travels—for in his latter ones he had more noble objects to attend to—not only to embrace every opportunity of contemplating with the eye of an ardent, if not an enthusiastic admirer, the most finished specimens of the magic skill of their ablest professors ; but, as far as his means would allow, of becoming the possessor of some of the productions of their creative genius. It must have been during these travels, that he obtained those paintings of the foreign masters, and other works of art, collected upon the Continent, with which he afterwards embellished his favourite seat at Cardington ; for when he had once entered upon the execution of his great scheme of universal benevolence, it so completely absorbed all the energies of his mind, that he never suffered himself for a moment to be diverted from carrying it into effect, even by the most attractive of those objects which formerly possessed all their most powerful influence upon his curiosity and his taste.’ p. 12.

We have inserted this paragraph as illustrative of an excellence in the character of Howard, which has not been sufficiently adverted to. There is, we think, a strong tendency to jealousy in our common nature ; and when we find an individual who has made himself eminent by the cultivation of a specific virtue, we are apt to resolve much of his consistent conduct to natural tendency and disposition ; and, while he is entitling himself, by a steady course of self-denial, to our love and veneration, to view him as doing little more than seeking his own gratification in a somewhat more respectable and useful way than the average routine of human action. Nor is this lowering estimate of benevolent or heroic character always erroneous. Take away the immediate influence of religion, which ennobles motive by marking it with a Divine impress, and the feelings which stimulate man to honourable enterprise, as well as the principles which guide and sustain him in its execution, will seldom stand the application of a rigorous



test, but exhibit a large alloy of baser matter mingled with the purest ore of human excellence. From such an examination, however severe, the character of Howard will come forth bright and unimpaired. He passed through scenes of grandeur, and sojourned among the most glorious remains of ancient art, without suffering himself, for one instant, to be diverted from the main object of his quest; and that this neglect was not attributable to ignorance or insensibility, is sufficiently attested by the extract just given, which indisputably proves him to have had a decided and expensive partiality to dilettanti pursuits. When Burke said of him, that he had 'visited all Europe, not to survey the sumptuousness of palaces, or the stateliness of temples; not to make accurate measurements of the remains of ancient grandeur, nor to form a scale of the curiosity of modern art;' he might have added, that, in neglecting all this, Howard made a noble and high-principled sacrifice of taste to Christian benevolence; that he did not pass these things by, from any want of interest in the achievements of genius, but from a settled and unalterable conviction that he had a "great work" to perform, and that it was in his power to complete it only by a resolute exclusion of every other pursuit from his fancy and his feelings. And he was right in his estimate. Nothing less than a "single eye" to his object, would have enabled him to effect, as he did, a change in the public mind of Europe. Nothing less than a stern and unmingled devotedness of all his mental faculties, all his moral and physical energies, in all the varieties of their exercise, could have enabled him to accomplish the mighty task, the execution of which was the one business of his life. Nor will it abate from the magnanimity of his self-denial, if we admit that he felt a pure and elevated satisfaction in the success of his endeavours. His first steps were upon ground untried and unsafe. He had, arrayed against him, two of the most appalling and unconquerable hostilities that can be opposed to human enterprise,—the interests of individuals, and the prejudices of mankind. Yet, these he encountered and overcame by a steady, calm, and heroic perseverance, altogether unparalleled in the history of man. To this he had bent the whole force of his character; he had put violence upon his peculiar habits and preferences, that he might go completely through with his disgusting and dangerous office; and if, in these offensive and hazardous investigations and exposures, he found gratification, or if at any time he might contemplate the reformatations that he had wrought, with feelings of complacency, the former was no impeachment of his disinterestedness, nor did the latter impair his humility. His

letters and his uniform course of life, attest his utter regardlessness of self; and every document that is brought forward by Dr. Brown, in illustration of Howard's habitual state of mind, shews that he cherished the deepest prostration of spirit, in the contemplation of his own character, as an instrument in the hands of God.

Nor was it a restless spirit, that made Howard, first a wanderer, and accidentally the benefactor of mankind. He had an exquisite relish for the pleasures of home; and his letters exhibit sufficient evidence that, while yielding to the high claims of duty, he sighed for the repose and the pleasures of his own tranquil dwelling. The peculiar tastes which make home delightful, were his in a remarkable degree. He had all those habits of elegant decoration, minute inspection, and social kindness, which make our apartments commodious, our garden a source of daily occupation and pleasure, our fields the subject of many a pleasant scheme of economical and ornamental improvement, our neighbourhood a sphere of usefulness and gratification. The man whose house and grounds, and whose habits and feelings in connexion with them, are the subject of the following interesting description, must have been under the influence of most powerful motives when he determined to encounter, not only severe privations, but the daily contact of disease, loathsomeness, and degrading associations.

\* In the house (at Cardington) which was but small, he made some further alterations, to render it commodious for his future residence; and his taste, with the assistance of Mrs. Howard's, which was highly cultivated and correct, soon gave to it an air of neatness and elegant simplicity very different to the appearance it had formerly borne. The front he adorned with lattice-work, replacing by simple cottage-windows the old-fashioned casements that had given to the whole building a character as sombre as that of the church-yard into which they looked. To the back of the house he made some additions, by the erection of a new set of rooms, abutting somewhat beyond the site of those he had pulled down, upon the pleasure grounds, to which he made a handsome entrance from the house, near the end of the new buildings. The grounds themselves were formed entirely under his own direction, out of a field of about three acres, which had formerly been a kind of homestead to the farm. They are laid out with great taste, having a kitchen-garden in the centre, so completely hid from observation by the shrubs surrounding it, that you can have no idea of its existence until you arrive at some of those narrow openings, over-arched by spreading boughs, through which you enter it, without the intervention of any gate, or other artificial barrier, to break the charm of so pleasing and so harmless a deception. Between the shrubbery and the house there is a very



neat lawn, and the whole is surrounded by a broad gravel walk, sheltered from the heat of the sun by fine full-grown trees, or thickly planted evergreens. In one part of the grounds, this walk is skirted on each side by a row of very majestic firs, the plants or seeds of which are said to have been brought by Mr. Howard from abroad, on his return from some of his earlier travels. The still silence of this shady grove was his most favourite resort; and in its mossy path, he spent many a solitary hour in devising, and many a social one in communicating to his friends, when devised, those glorious schemes of benevolence, which will never cease to impart to every spot his footsteps are known to have traversed on so merciful an errand, a charm more powerful than, without the magic influence of some such genius of the place, can dwell in nature's loveliest or sublimest scenes. The trees are still standing where they were first planted by his hand, and the gardener who watered the nursling shoots is yet living, in his ninetieth year, to prune, though with a sparing hand,—unwilling to lop off any thing his master loved to cherish,—the exuberance of their spreading boughs. One tree in particular seems to be the object of his especial care. It was planted, as he delights to tell you, by Mrs. Howard, on the original formation of the walk, and therefore always possessed a peculiar charm in her husband's eyes. Nor has the moss with which Mr. Howard delighted to see the paths of his pleasure-grounds and gardens completely overspread, entirely disappeared..... Nor has any thing been altered there, beyond the change which nature herself has introduced by the ordinary process of vegetation, except it be in a root-house at the end of the pleasure grounds, now not exactly in the state in which Mr. Howard left it. This little rural retreat is built entirely in the rustic style, without any of those curious intermixtures of Chinese, Grecian, or Tuscan architecture, which give to many buildings, intended for similar purposes, in our days, a sort of non-descript character often truly ridiculous. The materials of which it is formed, are the roots and trunks of trees; the roof, thatch-work, without ceiling or panneling on the inside, to mar the rude simplicity of the exterior. The door and its portico are Gothic, with windows of the same description on each side, just admitting light enough into the hermitage within, to fit it for the purposes of study and retirement, for which it was intended, without destroying the sombre and recluse appearance of the whole. The furniture exactly corresponded with the room. In the centre are still the remains of a lamp formed out of a root, and originally furnished with glasses, some of which were broken the first time they were used, and have never been replaced. In one corner is a fireplace, hid from observation by a chimney-board, formed, like the rest of the interior of the building, of roots and rough-hewn pieces of green wood. The place of chairs is supplied, partly by some singular masses of peat, of a very curious description, in the precise state in which they were cut out of a moss at Ampthill, a market town in Bedfordshire, distant from Cardington about seven miles;—and on another side of the room, by benches, fastened into

the wall, and covered with coarse matting. Opposite to these is a stone slab, serving the purposes of a table, and ornamented with a female figure in marble, seemingly a nun, in a reclining posture; a model in wood of one of the public buildings which Mr. Howard had seen in the course of his travels; and an hour-glass. Over these, in a recess in the wall, is a small book-case, with glass-doors, still enclosing a sufficient number of books to enable us to form a pretty accurate notion of what description of reading their former owner was most attached to, from the little library he had selected for the spot where he was wont to spend his more retired hours in study and meditation. Hervey, Flavel, Baxter, and the divines of that class, seem to have been his favourite authors. But besides a well chosen selection of writers of this cast, these shelves contained the poems of Milton, Thomson, Young, Watts; Lord Anson's Voyages; The Wonders of the Universe displayed; and most of the popular, with a few of the more abstruse philosophical treatises of the day; such, principally, as are calculated to exhibit and illustrate the wonders of creation and of providence, and, whilst they inform the inquiring mind in some of the minutest, as well as the grandest of her operations, to teach their pupils, as a lesson habitually to be derived from all her works,—

“To look through Nature up to Nature's God.”

Nor does the book, in which, after all, that and every other valuable lesson are taught, at once in the simplest and the sublimest language, fail to find a place in a retreat so admirably adapted to the serious contemplation of its sacred page. The identical Bible which was Mr. Howard's constant companion in all his travels, undertaken for the sole object of carrying into effect those principles of universal charity to the whole brotherhood of man, which the Bible, and the Bible alone inculcates, still occupies the spot where it was regularly placed, whenever its owner, for a few short days or weeks, had found a resting place from his labours, in the calm solitude of the shades he loved.

Mr. Howard returned from his first continental journey, in a state of health which rendered a ‘rigorous dietetic regimen’ necessary in the opinion of his medical attendants. He resided at Stoke Newington, and the attentions which he received from the mistress of the house in which he lodged, during a severe attack of disease, were so unremitted as to induce him, on recovery, to make her an offer of his hand. The extreme disparity of their ages, twenty-five and fifty-two, induced that highly respectable woman to remonstrate with him on the unsuitableness of such a union; but he persisted, and they were married in 1752. Their connexion was happy, though brief; Mrs. Howard only survived her marriage two or three years, and her husband sincerely lamented her death. With his characteristic generosity of disposition, he had transferred



the whole of the small property possessed by his wife, to her sister; and when, on her decease, he gave up house-keeping, he distributed the greater part of his furniture among the poor of the neighbourhood. An old gardener, who had previously experienced his liberality,

‘gratefully remembered to the day of his death, that, upon this occasion, he had for his *dividend*, as he was accustomed to call it, a bedstead and bedding complete, a table, half a dozen chairs, and a new scythe;—besides receiving a guinea for a single day’s work, probably in assisting in the removal of the portion of his furniture which Mr. Howard reserved for his own use.’

In the hope of obtaining relief from depressed feeling, Mr. Howard determined on quitting England for a time; and the first object to which his course was directed, was the capital of Portugal, then in ruins from the recent effects of the tremendous earthquake of 1755. The Lisbon packet in which he sailed, was, however, taken by a French privateer, and, under circumstances of great barbarity, he was thrown into prison at Brest. He was subsequently released conditionally; and, on his return to England, he exerted himself with promptitude, energy, and success, to procure redress for those of his countrymen who were still suffering under the horrors from which he had been liberated. It was to these circumstances that he ascribed the first impulse, which gradually absorbed the whole of his mental energies, though it was not until confirmed by subsequent events, that it became the settled purpose of his life. He now took up his residence at Cardington, where he occupied himself in superintending the improvement of his estate, in doing good, and in making those meteorological observations which procured for him, in 1756, his election as an F.R.S. In April 1758, he married the daughter of Edward Leeds, Esq. serjeant at law. This pious, amiable, and accomplished woman possessed his entire confidence and affection; and her death, in March 1765, though it was alleviated by the hope of a Christian, fell heavily upon him. She expired a few days after having given birth to a son, who survived to become a source of the severest anxiety to his father, and to furnish calumny with a pretext for assailing the parental character of Howard.

‘Never, perhaps, was a man more sincerely attached to a woman, whose fortunes he had identified with his own, than Mr. Howard appears to have been to his second wife; and never, according to the account of those who enjoyed the happiness of her acquaintance, was such attachment fixed upon a more worthy object. To such an extreme, indeed, I might almost say, did he carry his veneration for her,

that I have been informed from the most undoubted authority, that he always kept the anniversary of her death as a kind of fast, or time more peculiarly devoted to meditation and prayer; shutting himself up in his own room, and taking nothing in the course of the day but an apple and a piece of bread, or such slight refreshment.' p. 39.

In 1769, he undertook another journey of curiosity to the continent, with the intention of passing the winter in the south of Italy. His reasons for altering that determination are at once so honourable and so characteristic, that we shall give them in his own language as extracted from his private journal.

“ Turin, 1769. Nov. 30. My return without seeing the Southern part of Italy was on much deliberation, as I feared a misimprovement of a talent spent for mere curiosity at the loss of many Sabbaths; and as many donations must be suspended for my pleasure, which would have been, as I hope, contrary to the general conduct of my life, and which, on a retrospective view on a death-bed would cause pain, as unbecoming a Disciple of Christ—whose mind should be formed in my Soul—These thoughts with distance from my dear Boy determines me to check my curiosity and be on the return.—Oh! why should Vanity and Folly, Pictures and Baubles or even the stupendous Mountains, beautiful Hills, or rich Vallies, which ere long will all be consumed, engross the thoughts of a candidate for an eternal everlasting Kingdom.—A worm ever to crawl on earth whom God has raised to the hope of glory, which ere long will be revealed to them who are washed and sanctified by Faith in the Blood of the divine Redeemer! look forward Oh! my soul! how low, how mean, how little is every thing but what has a view to that glorious World of Light, Life and Love—the preparation of the heart is of God.—Prepare the heart Oh! God! of thy unworthy Creature, and unto Thee be all the glory through the boundless ages of Eternity.  
Signed “ J. H.”

“ This night my trembling soul almost longs to take its flight to see and know the wonders of redeeming love—join the triumphant choir—‘ Sin and sorrow fled away—God my Redeemer all in all—Oh! happy spirits that are safe in those Mansions——’ ”

We have copied this impressive evidence of Howard's devotional spirit, as well as of the determination with which he followed up the convictions of his conscience, precisely as given by Dr. Brown from the manuscript, with all its irregularities of orthography and punctuation. We feel, however, a little uncomfortable in doing this, since these peculiarities have an injurious effect on what may be otherwise very respectable composition; and we regret that Dr. B. should have deemed it expedient to adopt, as a general rule, what is admissible only as an occasional illustration.

We shall follow up the preceding extract with another of



the same devotional cast, written while on his journey homeward.

“Hague, 1770. Sunday Evening, 11th Feb. I would record the goodness of God to the unworthiest of his creatures. For some days past an habitual serious frame, relenting for my sin and folly, applying to the blood of Jesus Christ, solemnly surrendering my self and babe to Him, begging the conduct of his Holy Spirit.—I hope a more tender conscience, by a greater fear of offending God; a temper more abstracted from this world, more resigned to death or life, thirsting for union and communion with God as my Lord and my God. O the wonders of redeeming love! Some faint hope, even I, through redeeming mercy, in the perfect righteousness, the full-atoning sacrifice, shall ere long be made the monument of the rich, free grace and mercy of God, through the Divine Redeemer. O shout my soul, Grace, Grace, free, sovereign, rich, and unbounded Grace!—Not I, not I, an ill-deserving, hell-deserving creature; but where sin has abounded, I trust grace superabounds. Some hope—what joy in that hope!—that nothing shall separate my soul from the love of God in Christ Jesus; and, my soul, as such a frame is thy delight, pray frequently and fervently to the Father of spirits to bless his word, and your retired moments, to your serious conduct in life.

“Let not, my soul, the interests of a moment engross thy thoughts, or be preferred to my eternal interests. Look forward to that glory which will be revealed to those who are faithful to death. My soul, walk thou with God; be faithful; hold on; hold out; and then—what words can utter!” J. H.”

Such, however, was the state of his health, and so overpowering the dejection of his spirits, that he was compelled to lay aside his intention of returning home, and again to direct his movements southward. We may be assured that this measure could have been taken by Howard, only under the influence of a paramount necessity; and we find him, in his journal, sifting his own motives, jealously watching over the tenderness of his conscience, and deprecating the slightest departure from the path of providential guidance.

“No step,” is his language, “would I take without acknowledging God. I hope my present journey, though again into Italy, is no way wrong; rejoicing if in any respect I could bring the least improvement that might be of use to my own country.”

In this last expression, we may distinguish the internal workings of that master-passion, as yet undefined even to the mind of Howard himself, but which was, at no distant interval, to break forth with an energy of beneficence, of which the salutary effects will cease only with the end of time.

In September 1770, he reached England. His return to Cardington seems to have revived feelings which had given an irrecoverable shock to his constitution, and his health again failed. At Bristol Hot Wells, which he visited in the course of a western journey, he was confined during six months by a severe attack of gout; he took up, in consequence, a resolution, from which he never afterwards swerved, to abstain from all vinous and spirituous liquors. On his return to his own mansion, he busied himself in 'devising plans for the 'melioration of the condition of the poor in the immediate 'neighbourhood,' in which the low, marshy situation, combined with the poverty of the inhabitants and the want of comfort in their dwellings, made intermittent fever distressingly prevalent.

'With a view, therefore, to remedy this inconvenience, he at different times pulled down all the cottages on his estate, and rebuilt them in a neat, but simple style; paying particular attention to their preservation, as much as possible, from the dampness of the soil. Others, which were not his property before, he purchased, and re-erected upon the same plan; adding to the number of the whole, by building several new ones in different parts of the village. To each of these he allotted a piece of garden-ground, sufficient to supply the family of its occupier with potatoes and other vegetables; and generally ornamented them in front with a small fore-court, fenced off from the road by neat white palings, enclosing a bed or two of simple flowers, with here and there a shrub, or an evergreen, in the midst of them; thus imparting to these habitations of the poor, with their white fronts and thatched roofs, uniform in their rustic simplicity, though purposely varied in external form and appearance,—that air of neatness and of comfort, so strikingly characteristic of every thing in which he engaged.

'This project for improving the general condition of the village where he resided, no less creditable to his taste, than it is strongly illustrative of his benevolence, he had begun to carry into execution before he was deprived of the invaluable assistance of his beloved partner in life, of whose entire concurrence and active co-operation in this, as in every other plan of usefulness, we may be, as her husband was, most fully assured. "I remember," says Dr. Aikin, in his memoirs of that husband's life, "his relating that once, having settled his accounts at the close of a year, and found a balance in his favour, he proposed to his wife to make use of it in a journey to London, or any other gratification she chose. 'What a pretty cottage it would build,' was her answer; and the money was so employed. These comfortable habitations," continues his Biographer, on precisely the same information with my own, though, as I do not flatter myself that I can clothe it in better language, I gladly avail myself of that in which he first communicated it to the public, "he peopled with the most industrious and sober tenants he could find;



and over them he exercised the superintendence of master and father combined. He was careful to furnish them with employment, to assist them in sickness and distress, and to educate their children. In order to preserve their morals, he made it a condition that they should regularly attend their several places of worship, and abstain from public-houses, and from such amusements as he thought pernicious; and he secured their compliance with his rules by making them tenants at will." The cottages which he thus improved so materially to the promotion of the health and comfort of their tenants, he always let at their original rent of from twenty to thirty shillings per annum; so that there was scarcely a poor person in the village who was not anxious to have the privilege of residing in them. The care with which he selected the most deserving of the applicants for this favour, was, however, a source of dissatisfaction in those who were not the objects of his preference.'

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' " He would visit the farmers, his own tenants especially," says a letter from my kind and excellent friend, the Rev. Samuel Hillyard, now minister of the church and congregation which Mr. Howard first attended at Bedford, " and converse with them in the most affable manner. He also visited the poor; sat down in their cottages, and generally ate an apple while he talked with them. Even the school-boys, whenever they had an opportunity, would place themselves in his way; for he never failed to speak kindly to them, and to give each of them a halfpenny, if he had enough in his pocket to supply them, invariably concluding his advice by telling them to be good children, and to wash their hands and faces. To the cottagers he was also very particular in requesting them to keep their houses clean; especially recommending that the rooms should be swilled, (a provincial expression for washing the brick floors, by plentifully sluicing them with water,) and he had sinks made in them for that purpose. He not only gave away the milk of his dairy, which was not used in the house; but sent it round to the poor, that they might not lose their time in coming for it." '

A less pleasant duty was forced upon him by his connexion with the Old Meeting-house at Bedford. The highly respectable pastor of the church assembling for worship in that place, having announced from the pulpit his rejection of pædobaptist principles, and the majority of the members supporting him, this circumstance, combined with previous causes of dissatisfaction, led to a secession, in which Mr. Howard united, though without any diminution of friendly intercourse between himself and his old minister. While feeling himself bound to act upon his convictions, and to maintain his consistency, he was so far from yielding to capricious or uncharitable emotions, that he continued, until death, his ' subscription towards the support of the meeting, and his contribution for the relief of the ' poor of the church from which he had seceded.' We cannot

forbear the expression of a wish, that all separations might be conducted in a similar spirit.

The event which may be considered as the turning point in Howard's life, occurred in 1773, the year in which he was nominated to the office of high-sheriff of Bedfordshire. In the quarto edition of these memoirs, the well-known anecdote which describes the interview between Mr. H. and the Lord Chancellor Bathurst, was treated as an 'idle story,' with an intimation that the former took upon himself the office, and served it 'at all hazards; trusting, no doubt, to the liberal opinions which began to prevail even in those days, to protect him from the pains and penalties of an act which, in times as factious as they were intolerant, first found a place upon our statute-books.' We were a little surprised at finding this passage retained *verbatim* in the octavo edition, although it appears from subsequent communications, that the facts in question are substantially correct, and that Mr. Howard was so far from executing the duties of his post 'at all hazards,' that he acted under an express and satisfactory assurance of protection from Lord Bathurst. The following statement is from the unexceptionable authority of the Rev. Martyn Moyle, an aged and respectable Baptist minister, residing at Bedford.

'I can perfectly remember, though it is thirty years ago or upwards, being in his (Mr. Howard's) company with the Rev. William Clarke, many years pastor of the Baptist church meeting in Unicorn Yard, in the Borough. I cannot recollect what introduced the subject, but Mr. Howard expressed himself as follows. "When I was appointed to be high-sheriff for the county of Bedford, I knew I was not qualified for that office, and I did not wish to refuse the office for the sake of avoiding the expense, as it was customary for those gentlemen who served on the grand jury, to serve that office; and instead of making my case known to others, I applied at first to the Lord Chancellor; and upon being introduced to his lordship, I stated my case, and I said, I wait upon your lordship on being appointed high-sheriff for the county of Bedford. To which his lordship replied, And a very proper person, Mr. Howard, for that office. I answered, I am much obliged to your lordship for your good opinion, but I am incapable of being qualified for that office. To which his lordship answered (with surprize), Why, Mr. Howard, you cannot refuse to take the sacrament! No good Christian can refuse to take the sacrament. To which I replied, No, my Lord, I esteem it a great privilege; but, my Lord, I am a dissenter, and I could not take it as a test to qualify me for a civil office in my own community. To which his lordship answered, Well, Mr. Howard, this makes it a very different case, as you make it a point of conscience; however, I wish you to go down and serve the office, and take no notice of it. *I cannot speak as a professional man that no difficulties shall arise; but if*



there should, he signified he would take care, and do *all he could to turn the edge* of them. I did serve the office without being qualified, and I believe it is the only instance since the passing of the Test-act.”

The office of sheriff, in the hands of Howard, was no sinecure. He was conscientious in his inspection of the prisons which were under his nominal control; and it was with a view to the correction of abuses connected with their management, that he commenced his examination of the general system acted upon in the other counties of his native land. From this small beginning took its rise that grand series of exertions in behalf of the afflicted and aggrieved, which has given a new and brighter aspect to one, at least, of the darkest scenes of human misery. The condition of the guilty, and too often of those who had nothing more of guilt than its imputation, was an object too low for the ambition of governors and legislators; and schemes of moral improvement were deemed utterly romantic and intangible, until the steady purpose, the intelligent reasoning, and the unanswerable statements of Howard, had made so powerful an impression on the public mind, that it became both disgraceful and unsafe for men in authority to neglect the indications of general feeling. In the few, the very few instances where moral discipline had been combined with a prudent application of restraint and coercion, it was ascertained that the result had been highly advantageous; and the mass of evidence accumulated by the researches of “the Philanthropist,” was too weighty and important to be assailable by the commonplaces of official evasion. It is not, however, our intention to enter on the ample field presented to us by the collections of Howard, nor even on the able and complete analysis presented to us by Dr. Brown. Both the results and the more interesting details have been so often laid before the public, as to render repetition here inexpedient; we shall therefore content ourselves with a specific reference to the volumes now before us. The larger (the first) edition will be found to contain a highly interesting history of the researches of Howard; and in the octavo, though to a certain extent abridged from the former edition, it is compressed with so much skill as to render it a most satisfactory and equally attractive substitute. In fact, the abstract is so well managed, that, not having placed the volumes side by side for the purpose of close comparison, we should find it difficult to point out where the deficiencies of the less diffuse publication were to be found; and we are inclined to think that, to the general reader, it will be the more acceptable of the two,

though the minute inquirer may find more ample materials in the original quarto.

In the course of his beneficent travels, Howard visited Russia, Sweden, Denmark, Poland, Prussia, Holland, Germany, Switzerland, France, Spain, Portugal, Italy, and Turkey, exposing himself, with calm intrepidity, to all the various and complicated privations, sufferings, and hazards connected with his undeviating pursuit of his object. The tremendous exhibition of human wretchedness which, in the published results of his inspection, he unfolded to the world, was broken by occasional gleams of a better system; and, in this respect, England was far outdone by some of the continental municipalities. In the hands of a writer of powerful imagination, the vivid, though accurate description of the scenes through which our countryman passed, would have made up a work transcending in interest all the exaggerated productions of fiction. His personal adventures, the innumerable anecdotes which the different circumstances and situations in which he was placed, would have supplied, the picturesque details of the appalling objects with which he was conversant, the dangers, real and apparent, to which he was exposed,—all these might have been displayed, without any violation of truth, to signal advantage, by one who had regarded these things as worth recording. To Howard, however, they appeared in a different light; they had no bearing upon the one determinate end to which he had devoted all his energies, and they were discarded without a further thought. So completely was he insensible to the usual vanity of authors, and to the tenaciousness with which they cling to their own peculiar modes of expression, that he never published, without having previously submitted his works to the rigid examination of his friends. He first put all his memoranda into the hands of an old intimate, who assisted him in arranging them, and in making a correct copy, which then passed into the hands of Dr. Price, who frequently made considerable alterations. He then set off with them for Warrington, the abode of his favourite printer, and at that time the residence of Dr. Aikin, who gave him the most important assistance in carrying his papers through the press.

‘First,’ writes Dr. A. ‘he read them all over carefully with me, which perusal was repeated, sheet by sheet, as they were printed. As new facts and observations were continually suggesting themselves to his mind, he put the matter of them upon paper as they occurred, and then requested me to clothe them in such expressions as I thought proper. On these occasions, such was his



diffidence, that I found it difficult to make him acquiesce in his own language, when, as it frequently happened, it was unexceptionable.'

The fearlessness with which Mr. Howard followed up his researches, was, in a remarkable degree, proof against those circumstances of time and place which would have made a man of laxer nerve to quail. His great object was the acquisition of information upon a question of paramount importance, and he was utterly regardless of risk in his efforts to obtain it. He never descended to any concession unworthy of his highly estimated character as an Englishman, but, amidst the ruffian crew of a hostile privateer, in conference with men of high official rank, in the presence of monarchy itself, he maintained, inflexibly, the firmness and dignity of his mind and deportment. The steps which he took for the purpose of procuring information, were sometimes of a decidedly hazardous kind. When visiting Petersburg in 1781, he was desirous of ascertaining how far the affectation of excluding the punishment of death from the penal code of Russia, was practically observed.

'He did not, however, look for exact information to the courtiers of the empress, or to the chief ministers of justice, because he judged that they would be disposed to exalt, by their representations, the glory of their sovereign; but, taking a hackney-coach, he drove directly to the abode of the executioner. The man was astonished and alarmed at seeing any person, having the appearance of a gentleman, enter his door, which was precisely the state of mind his visitor wished to find him in; and he endeavoured to increase his confusion by the tone, aspect, and manner which he assumed. Acting, therefore, as though he had authority to examine him, he told him that if his answers to the questions he should propose were conformable to truth, he had nothing to fear. He accordingly promised that they should be so; when Mr. Howard asked, 'Can you inflict the knout in such a manner as to occasion death in a short time?' 'Yes, I can,' was the answer. 'In how short a time?' 'In a day or two.' 'Have you ever so inflicted it?' 'I have.' 'Have you lately?' 'Yes, the last man who was punished with my hands by the knout, died of the punishment.' 'In what manner do you thus render it mortal?' 'By one or more strokes on the sides, which carry off large pieces of flesh.' 'Do you receive orders thus to inflict the punishment?' 'I do.' At the close of this curious dialogue, Mr. Howard left the executioner, fully satisfied that the honour of abolishing capital punishment had been ascribed to the infliction of a cruel, lingering, and private death, in lieu of one sudden and public.'

In another instance, Mr. Howard assumed a 'little brief authority' for a different purpose, and if we could suspect him of relishing a practical joke, we should be tempted to refer the following curious adventure to some such whimsical motive. While in Prague,

‘ he paid a visit to one of the principal monasteries of the Capuchin friars . . . . On reaching this convent, he found the holy fathers at dinner, round a table, which, though it was meagre day with them, was sumptuously furnished with all the delicacies the season could afford, of which he was very politely invited to partake. This, however, he not only declined to do, but accompanied his refusal by a pretty severe lecture to the elder monks, in which he told them, that he thought they had retired from the world to live a life of abstemiousness and prayer, but he found their monastery a house of revelling and drunkenness. He added, moreover, that he was going to Rome, and he would take care that the Pope should be made acquainted with the impropriety of their conduct. Alarmed at this threat, four or five of these holy friars found their way the next morning to the hotel at which their visitor had taken up his abode, to beg pardon for the offence they had given him by their unseemly mode of living, and to entreat that he would not say any thing of what had passed, at the papal see. To this request our countryman replied, that he should make no promise upon the subject, but would merely say, that if he heard that the offence was not repeated, he might probably be silent on what was past. With this sort of half assurance, the monks were compelled to be satisfied; but before they took leave of the heretical reprovcr of their vices, they gave him a solemn promise that no such violation of their rules should again be permitted, and that they would keep a constant watch over the younger members of their community, to guard them against similar excesses.’

Howard in the prisons of the Spanish Inquisition, conversing freely with the chiefs of that tremendous tribunal, and obtaining from them a further ingress than ever heretic had with impunity been previously allowed, is an interesting object both to the feelings and the imagination. Some writers would have given us a whole chapter about it, and left us, at the close, no wiser than we now are after the compact narrative of the volume before us. Dr. Brown is no book-maker; he never indulges himself in that sort of idle prosing which, though it may gratify the vanity of the author, is altogether unprofitable to the reader: his object has been, to exhibit a full-length portrait of Howard, and not to thrust the accessories into the place of the principal figure. The determination of our fearless countryman to acquire information at all hazards, had, at a previous period of his career, led him to make an attempt to enter the Bastille: he had actually passed the first gate, by calmly walking through the guard, and was only stopped at the second by the appearance of an officer who compelled him to retire. There is, however, one part of the *Memoirs* in which we cannot help suspecting an error, though Dr. Brown has stated the evidence in its favour very forcibly. In 1785 or 1786, he re-visited France, though he



had received an intimation from the Government of his own country, that, if he persisted in his design, his liberty would be endangered. It was, however, necessary to his plans, that he should inspect the lazarettoes of Marseilles and Toulon, and he was not a man to be turned aside from his purpose by the dread of a *lettre de cachet*. His movements were watched from Brussels to Paris, where he gave his *mouchard*, a 'man in 'a black wig,' the slip, and reached the south by the Lyons diligence. At Lyons, he visited the prisons and hospitals; at Marseilles, he gained access to the lazaretto; at Toulon, he inspected the arsenals and galleys; and after all these leisurely movements, quitted France in safety, though the most active and dexterous police in Europe was in search of him. That Howard was told this, there can be no doubt; but we own that its correctness appears to us extremely doubtful.

Of the influence possessed by this eminent man over the minds of those miserable objects whose calamities it had been the great business of his life to mitigate, the following interesting anecdotes are related on the authority of Dr. William Lawrence Brown, principal of the Marischal college of Aberdeen.

“When Ryland, the celebrated engraver, was under sentence of death for forgery, a gentleman came one morning to Mr. Howard, during one of his temporary visits to London, and, begging pardon for his intrusion, informed him that some years ago a maid-servant in a house opposite to Ryland's, had suddenly left her situation, and could not be heard of. In her room, however, some scraps of his writing were discovered, and application was immediately made to him to learn what had become of her. But the only answer he would give was, that she was provided for; and with this, during the days of his prosperity, her friends were obliged to be satisfied. When, however, his fortune was ruined by his condemnation, they desired to be more particularly informed of her condition, in order that they might take her home, to prevent her coming upon the town. They accordingly applied to him in Newgate, but could get no specific answer to their inquiries; when, hearing that Mr. Howard had great influence over persons in Mr. Ryland's situation, they determined upon soliciting his assistance. He promised that he would bring back an account of the unfortunate girl's situation in twenty-four hours, and he fulfilled his promise. She had been kept by Ryland in a village at some distance from London, where she was found by her relations, and restored to their protection.” From the same authentic source, I am furnished with a proof of the courage and presence of mind which this extraordinary man possessed, as exhibited during one of his visits to the metropolis, at this period of his life. “During an alarming riot at the Savoy,” says Dr. Brown, “the prisoners had killed two of their keepers, and no person dared to approach them until the intrepid Howard insisted on entering their prison. In vain

his friends, in vain the jailors endeavoured to dissuade him: in he went among two hundred ruffians, when such was the effect of his mild and benignant manner, that they soon listened to his remonstrances, represented their grievances, and at last allowed themselves to be quietly reconducted to their cells." ' pp. 392, 3.

Into the details of the domestic calamity which clouded the latter period of the life of Howard, we shall not enter. That he was a tender father, Dr. Brown has *proved*; that he was eccentric in his views of parental discipline, is very probable; and that he was blameworthy in committing his son so much to the care of a worthless servant, whose hypocrisy might have been easily detected, is, we fear, beyond controversy. To this last circumstance, the profligacy and consequent insanity of the younger Howard were unquestionably owing, and by no means to the severity of a parent who seems, on the contrary, to have been uniformly affectionate.

We could easily extend this article by a selection from the many interesting and well-told anecdotes with which this volume abounds; but we could not do justice to the public and private character of Howard, without very inconveniently trespassing on our limits. We shall, therefore, content ourselves with a reference to the work itself, with the remark, that if it produce the same effect on our readers which it has had on us, they will thank us for our warm recommendation.

The circumstances connected with the death of this Christian hero, are too generally known to require repetition. It took place at Cherson, on the 20th January, 1790. His last moments were cheered by the presence of that Saviour whom he had loved and followed through life, and on whose merits he implicitly relied for acceptance with God. The simple tablet to his memory in Cardington Church, prepared under his own direction before he left this country for the last time, in order to preclude any more ostentatious memorial, contains his dying sentiment,—‘ Christ is my hope.’

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Art. IV. *The Christian Philosopher; or the Connexion of Science with Religion. With an Appendix.* By Thomas Dick. 12mo. pp. 444. Price 7s. Edinburgh. 1823.

**W**E have been much pleased with this volume in every respect. The design, every one must approve; the execution is highly respectable; it comprises a fund of instructive information, and the whole is brought to bear both judiciously and effectively on the subject of religion. We can give only an abridged view of the contents.

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'Introduction. Necessity of Revelation. Folly of discarding the science of Nature from Religion. Beneficial effects which flow from the study of the works of God. Chapter I. *On the Natural Attributes of the Deity*. § 1. On the relation of the Natural Attributes of God to Religion. § 2. Illustration of the Omnipotence of the Deity from—the immense quantity of matter in the universe—the rapid motions of the celestial bodies—immense spaces which surround them. Moral effects of such contemplations. § 3. Wisdom and Intelligence of the Deity illustrated from the solar system—variety of nature—mechanism of the eye—and the bones. § 4. Goodness and Benevolence of the Deity. Chapter II. *Cursory View of some of the Sciences related to Christian Theology*: Natural History—Geography—Geology—Astronomy—Natural Philosophy—Chemistry—Anatomy and Physiology—History. Chapter III. *Relation which the Inventions of Art bear to the Objects of Religion*: Art of Printing—Navigation—the Telescope—the Microscope—Steam—Air Balloons—Acoustic Tunnels. Chapter IV. *Scriptural Facts illustrated from the System of Nature*. Chapter V. *Beneficial Effects which would result from connecting Science with Religion*.'

The general sentiment which pervades the volume, is so perfectly in unison with the opinion we had occasion to throw out in noticing Dr. Chalmers's *Astronomical Discourses*, 'that there is, among serious persons, a quite *irreligious* neglect of 'one of the two grand forms of Divine Revelation,'\*—that we cannot but feel satisfaction in recommending a work well adapted to counteract the ignorance and prejudice which are the source of that neglect. We would especially recommend the perusal and purchase of this volume to Christian ministers. In many neighbourhoods, were familiar lectures, on the plan of this volume, to be addressed to young persons, it strikes us that the effect would be highly beneficial. To rouse the dormant attention, to waken an interest in intellectual and moral subjects, to develop the idea of God in the half-formed mind, is often half the difficulty which the Pastor has to surmount, in conveying religious truth into the mind. Now the language of God's works is one which the child can understand; and in teaching him by these sensible images, what they "declare" concerning the glory of God," you act as you do by a child who is learning to read,—you begin with single letters, and with these letters you connect pictures, and it is from these that he learns the power of words. But the fact is, that Theology takes little cognizance of the manifestation of God in his works; so much has she been perverted by metaphysics and controversy,

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\* Eclectic Review, N.S. Vol. VIII. p. 218.

that she is unaccustomed to speak of the great Object of worship, except in the language of abstract propositions and formal doctrines; and, strange to say, discourses on the nature and attributes of the Deity are apt to be the most abstruse and unaffecting of all religious discourses. We hear by far too little of God from the pulpit, as *our Father in heaven*, there is by far too little in most sermons, that leads the mind *directly* to the contemplation of God. We think there is much truth in the following remarks.

‘Notwithstanding the connexion of the natural perfections of God with the objects of the Christian Revelation, it appears somewhat strange, that when certain religious instructors happen to come in contact with this topic, they seem as if they were beginning to tread upon forbidden ground, and as if it were unsuitable to their office as Christian teachers, to bring forward the stupendous works of the Almighty to illustrate his nature and attributes. Instead of expatiating on the numerous sources of illustration of which the subject admits, till the minds of their hearers are thoroughly affected with a view of the essential glory of Jehovah, they despatch the subject with two or three vague propositions, which, though logically true, make no impression upon the heart;—as if they believed that such contemplations were suited only to carnal men and mere philosophers, and as if they were afraid lest the sanctity of the pulpit should be polluted by particular descriptions of those operations of Deity which are perceived through the medium of the corporeal senses. We do not mean to insinuate, that the essential attributes of God, and the illustrations of them derived from the material world, should form the sole, or the chief topics of discussion in the business of religious instruction; but, if the Scriptures frequently direct our attention to these subjects—if they lie at the foundation of all accurate and extensive views of the Christian Revelation—if they be the chief subjects of contemplation to angels and all other pure intelligences in every region of the universe—and if they have a tendency to expand the minds of professed Christians, to correct their vague and erroneous conceptions, and to promote their conformity to the moral character of God—we cannot find out the shadow of reason, why such topics should be almost, if not altogether overlooked, in the writings and discourses of those who profess to instruct mankind in the knowledge of God, and the duties of his worship.’



Art. V. *A Narrative of the Establishment and Progress of the Mission to Ceylon and India*, founded by the late Rev. Thomas Coke, LL.D. under the Direction of the Wesleyan Methodist Conference. With an Introductory Sketch of the Natural, Civil, and Religious History of the Island of Ceylon. By W. M. Harvard, one of the Missionaries who accompanied Doctor Coke. small 8vo. pp. lxxii, 404. Price 9s. London. 1823.

FOR many years, the only Wesleyan Methodist Missionary Society was—Dr. Coke. He was the founder of the Mission to the West Indies, which dates as far back as 1786; and the Mission to Ceylon owes its origin entirely to his zeal and beneficence. He had often met with discouragement and opposition from his brethren in the Conference, with regard to other Missions which he had proposed, in consequence of the state of their finances; and up to the year 1813, scarcely a pound had been expended in the missionary cause, that had not been furnished out of his own income, or obtained by his personal application; for he was, in fact, collector-general. At length, the Conference sanctioned an annual public collection for the missions which he had established; but the “General Wesleyan Methodist Missionary Society” was not established till 1817, four years after the commencement of the Mission to Ceylon. Upon the accomplishment of this object, his mind was so anxiously bent, that, after the death of Mrs. Coke, he resolved to devote himself personally to the service. As the missionary fund of the Society was at that time under embarrassments, he generously offered to bear, out of his own private fortune, the whole expense of the outfit, to the extent of 6000*l*. The Conference declined this noble offer, but they consented to undertake the mission, on the condition that he should guarantee the sum, in the event of its not being otherwise raised; and they afterwards borrowed of him above half the amount. Dr. Coke expended, however, a considerable sum in the outfit of the mission, in addition to what was allowed by the Conference. No sooner was the undertaking agreed upon, though he was now at the advanced age of 67, than he entered with all the fervour and diligence of youth, upon the business of preparing himself for the service. He had long applied his mind to the study of the Portuguese language, which, he had understood from Dr. Buchanan, was spoken throughout the Asiatic coast and the adjacent islands; and his desire to perfect himself in this language now became so intense, that, says Mr. Harvard, ‘I do not remember to have seen, from that time, any book in his hand,

' which did not tend, in some way or other, to assist his  
' acquirement of the Portuguese.

' Helps in the study of the Singhalese and Tamul languages were less easy of access. Indeed, a teacher of either of them was not to be procured in London. And to this, as well as to his attaching more than perhaps a due importance to the Portuguese as a medium of intercourse with the Asiatics, may be attributed the Doctor's unwearied and persevering application. It is true that the Portuguese language is spoken throughout India. But neither is it exactly the same as that which is spoken in Europe, nor is it used to that extent in general, which would admit of a free communication of religious sentiments. The degenerated state of the Portuguese language, as it is at present found throughout Asia, is, indeed, but a melancholy vestige of the general influence which was formerly possessed in the East, by that once enterprising and successful nation. Had that influence been consecrated to the dissemination of pure and undefiled religion among the Indian pagans over whom it was exercised, it is more than probable it would have been continued unto the present day. The subserviency of a nation to the purposes of God in the spread of the everlasting Gospel, is intimately and evidently connected with its political ascendancy and greatness, and is the strongest pledge of its universal prosperity. In the order of events, the influence and language of Portugal in India, have almost entirely given place to those of our own highly favoured country.'

The declining or ruined state of all the Roman Catholic missions—we fear we must except their *home mission* in this country—is a striking feature of the times. In India, we have heard the poor Abbé Dubois bitterly bewailing their approaching extinction. In Syria, the *Terra Santa* establishments are giving way before the intrigues and growing ascendancy of the Greeks, English and Russian influence being alike fatal to their prosperity. The Jesuits, who were the chief missionaries, have been arrested in their ambitious schemes of universal proselytism and conquest; and Spain and Portugal, the countries which chiefly supported the foreign missions, have been too much crippled abroad and impoverished at home, to be able to afford their wonted aid to distant ecclesiastical establishments. That Protestants should so recently have begun to discover any zeal for the propagation of Christianity among heathen nations, is a circumstance which calls for the deepest humiliation, as well as astonishment. The Papists must be allowed to have set us in this respect a noble example, and to have been, so far, more righteous than ourselves. But the corrupt Christianity which they propagated, differed so little from heathenism, except in



the new names which it introduced, that the decline of their missions must be considered as tantamount to the removal of one formidable obstacle in the way of evangelizing the Pagan and the Mahommedan world. How much the exertions of British missionaries directly contribute to the consolidation of the English empire in distant regions, it would not be difficult to shew. The connexion formed by conquest and political rule, is feeble, compared with the ties of a common religion and a common language. And contemplating the probability that the British empire may share the fate of other empires in its colonial relations, and be compelled either to yield to other foreign influence, or to see her dependencies throw off their allegiance, every day is now rendering it less and less possible that those countries which have been the sphere of missionary labour, should cease to belong to England by these moral ties. The extension of education and religious knowledge among the heathen, unquestionably tends to promote our mercantile prosperity, by widening the market for commerce; and it is by the opening of fresh markets, rather than by any extension of our empire, that our colonies tend to the aggrandisement of the Mother Country. But, as regards the true glory of a nation, what territorial accessions can be put in competition with the permanent honour of having made its language and literature the all but universal medium of intelligence and religious truth, as the English language is likely to become, by means, first, of our foreign commerce, and next by missionary exertions?

Dr. Coke sailed for Ceylon with six missionaries in December, 1813. He was not, however, permitted to see the commencement of the work. Before the vessel reached Bombay, a fit of apoplexy closed his labours, and his remains were committed to the deep, which he had so often traversed on the same benevolent errand: he is said to have crossed the Atlantic no fewer than eighteen times. Among the advocates and promoters of Christian Missions, this venerable individual is certainly entitled to no ordinary rank. During the last thirty years of his life, this cause was ever uppermost in his thoughts. When in England, he 'stooped to the very 'drudgery of charity,' employing much of his time in travelling through the country, to solicit subscriptions for missionary purposes, while the larger part of his own private fortune was cheerfully dedicated to the same cause. 'His 'unconquerable activity,' remarks Dr. Brown, 'was attributed 'by the world to enthusiasm, by his enemies to ambition; but, 'by his friends, who knew him best, to zeal for the glory of 'God and the salvation of men. He was not, however, with-

‘out his faults. Of a warm and sanguine temperament, he was frequently hurried into schemes without consideration, was liable to be provoked by opposition, was improvident in his plans, profuse in his expenditure, and had, we suspect, no inconsiderable share of vanity. His many excellencies, however, more than counterbalanced his faults.’ One of his chief faults, indeed, appears to have been, that he was before-hand with the Conference, and with the greater part of the religious world, in embarking in the cause of Missions; that he was impatient of the apathy and supineness which he had to encounter in his brethren; and that he differed from some of them as to the relative importance of carrying the Gospel to the heathen, and extending a sect at home.

Mr. Harvard has devoted, we think injudiciously, upwards of a hundred pages to a detail of the circumstances preliminary to the actual commencement of the mission: his fifth chapter commences with the arrival of the surviving missionaries at Bombay, and it is not till the seventh chapter, that the reader is landed at Ceylon. Mr. H. remained behind at Bombay till the following January, when, with Mrs. Harvard, he joined his brother missionaries. He laboured at Ceylon four years, and returned to England in ill-health, in January 1818. At this date, the narrative terminates. The information which the volume contains, will not, therefore, be very new to those readers who are in the habit of inspecting the missionary accounts. But they will feel interested in tracing the steps by which the mission has been brought to its present encouraging state. The Methodist Missionaries had, in 1822, established no fewer than fifteen stations, and their judicious exertions in instituting schools, had been crowned with great success. The last Report states the number of scholars at 5000. ‘Not only has no resistance been offered by the heathen native priests, but even they have themselves cheerfully co-operated in the erection of school-rooms, and in encouraging the attendance of their children.’ The transcendent stupidity of the adult natives presents an almost unsurmountable difficulty in the way of any other exertions at present: ‘such stocks and stones,’ says Mr. Fox, missionary at Colombo, ‘cannot be conceived of out of Asia.’

Of all the systems of religious belief or disbelief that have deluded and degraded mankind, the vulgar Budhuism would seem to be well-nigh the most incapable of resisting or surviving the introduction of rational ideas, by the diffusion of education. Mr. Harvard is right when he says that, ‘compared with the prevailing religion of the Hindoos, Budhuism wears an aspect amiable and humane. Unlike the worship



‘ of Juggernaut, (to instance one Hindoo deity only,) whose ‘ rubric prescribes impurity and blood as acceptable, and even ‘ essential acts of worship, the worship of Budhu is simple and ‘ inoffensive.’ The sacred books of the system, we are told, forbid cruelty, dishonesty, unchastity, and falsehood, and inculcate kindness, sympathy, and subordination. But the same may be said of the sacred books of the Hindoos; and as well might the religion of the Jesuits and Dominicans be sought for in the New Testament, as the religion of the Hindoos, the Chinese, or the Singhalese be judged of from their *vedas*, or *banna*, or sacred books. The common people have no access to these books; they are, for the most part, written in a language which the people do not understand. The *Banna*, or sacred writings of Budhu, are in the *Pali* language; and when they are read in public, it is the business of a subordinate priest to interpret them, sentence by sentence, in the vernacular tongue. This seems a rational proceeding,—the relic, possibly, of a better system. Indeed, there is some reason to believe that Budhuism is a corruption of a purer faith—a reformation, as Mahommedanism was, upon polytheism; and its founder may not have been chargeable with the atheistic tenets avowed by his followers. He may have taught, as a philosophical dogma, that the world made itself, in opposition to the ridiculous fables respecting its origin; or, rather, perhaps, he may have held the eternity of matter, without connecting with it sentiments strictly atheistic. In fact, the notions held by his worshippers, who regard him as an incarnation of Deity, seem to imply that the existence of a Deity was not excluded from his doctrines. Mr. Harvard was told by a converted Budhuist priest, that the worshippers of Budhu believe that several incarnations of their Deity have taken place, the last of which they conceive to have happened about four hundred years before the Christian era.

‘ According to their writings, Budhu visited Ceylon for the purpose of rescuing the natives from the tyranny of the demons who covered the whole island, and exercised the most cruel tyranny over the inhabitants. So numerous were these malignant spirits, that, on the arrival of Budhu, they covered the whole ground, and there was not sufficient space left for him to set his foot; and had a pin fallen, it could not have found its way to the ground. Budhu, confident of the efficacy of his doctrines, directed his discourse to a part of the vast mass before him, which immediately yielded to its force, and became panic-struck by the superior power which was opposed to them. Availing himself of the confusion into which the demons were thrown, and perceiving a vacant space, Budhu descended, and occupied the spot. As he continued to preach, directing his sermons to every part of the vast circle which was formed around him, the

demons gradually retired further from his presence, until they were all at length driven into the sea. Budhu then issued the following proclamation: "Behold, I have conquered the malignant spirits who had so long, and with such irresistible sway, tyrannised over you. Fear demons no more—worship them no more!"

'This tradition, divested of the absurdities in which it is clothed, represents Budhu as a religious reformer, who, finding the Singhalese devoted to the Kappooa system of demon worship, endeavoured, by preaching some portion of truth, though mixed up with much error, to raise their minds from the degraded and enslaved state in which they had been held for ages; success followed the persevering promulgation of the system, until it gained the ascendancy, and became the established religion of the island. The principal doctrines he inculcated, appear to have been these: He denied the existence of a Great First Cause of all things, and taught that matter is eternal; and that the affairs and destinies of men are invariably fixed by an uncontrollable fatality. As a rational effect of these principles, he rejected as absurd the practice of any form of religious worship. With respect to a future state, he asserted, that human beings pass from one mode of existence into another, in an endless series of transmigrations; that these transmigrations are regulated according to their moral character; until, by repeated births and sufferings, they attain to that state of moral perfection which, as a necessary consequence, shall usher them into *Nirri-wana*.'

That is, absorption, the *ne plus ultra* of Budhuistical beatitude. To the Singhalese in general, this word, says Mr. Harvard, conveys no other idea than that of annihilation. This may be questioned. At least, among the Burmans, *Nirvāṇa* implies exemption from all the miseries, incident to humanity, a state of perfect quiescence, but by no means annihilation. 'The Hindoo idea of absorption,' says Mr. Ward, 'is, that the soul is received into the Divine essence;' and it is difficult to conceive that the absolute termination of existence can ever be represented as the consummation of happiness. The doctrine of absorption, which places bliss in the utter extinction of desire, may be considered as the Stoicism of the Eastern world.\*

That Budhu rejected any form of religious worship, is by no means clear; it is more probable that he only condemned the bloody sacrifices and absurd ritual of the Hindoo polytheism. This institution of temples and a priesthood, is at variance with the supposition that 'Budhuism in its original form was a system of undisguised atheism.' We know but little what was its original form. It is now acknowledged to be universally corrupted. 'The followers of Budhu, and even the priests themselves,' Mr. Harvard admits, 'will perform acts of wor-

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\* See Ward's View of the History, &c. of the Hindoos. Vol. II. p. 206.



ship to the Kapooistic deities, and have figures of demons painted on the walls of their own temples. But this' he adds, 'so far as I have been able to learn, is a corruption of the Budhuist system.' The worship of Fo is in like manner blended with the more ancient polytheism of China. The fact is, that the doctrines of Budhu, whatever they were, have, wherever they prevail, grafted themselves on the popular faith, modifying only, rather than displacing, the pre-existing idolatry, by a process analogous to that by which a corrupt Christianity became blended with the paganism of Greece and Rome. And the substitution of Budhu himself as an object of worship, in the place of the devils whom he expelled, would be the natural result, in the absence of enlightened ideas respecting an invisible Object of worship; just as the worship of Venus and Astarte was transferred to the Virgin, and all the rites of classic heathenism were adopted into the hagiology of Christian Rome. The first step would be the deification of the deceased teacher; this idea the vulgar would soon convert into the prevailing notion of an incarnation of deity,—a god come down in the likeness of man; and the downward tendency of the depraved mind would soon lead to the absolute identification of Deity with this supposed *avatar*, to the exclusion of any higher object of worship. But idolatry cannot subsist on invisible things. Budhu himself must needs undergo incarnation, or must condescend to become wood and stone. In the North of Asia, the former alternative has been adopted, and the besotted worshippers believe in an ever-renewed incarnation of Budhu, in the person of one or other of their Lamas. In Ceylon, the latter has taken place.

'The Budhuist *wihârees*, or temples,' says Mr. Harvard, 'which have fallen under my observation, appear to have been constructed merely as receptacles of the sacred image; as they are not sufficiently capacious to have been designed for the accommodation of worshippers. The natives generally perform their devotions standing at the door. The principal image of Budhu in these temples, represents the god in a recumbent posture, with his eyes open, and the head resting on one of the hands. The size of this image is sometimes fifteen or twenty feet long. The god is also represented by smaller images, sitting cross-legged, after the manner of the Asiatics; and by others, standing, with the right arm extended, and the thumb and fore-finger compressed, as if in the act of communicating instruction. The temples also contain smaller images of the idol, molten and carved, with celestial attendants painted on the walls. A frightful demon, usually painted black or blue, armed with some instrument of destruction, is stationed at the door of the temple, as a guard of honour or defence. A priest is generally in attendance to receive the offerings of the worshippers: these consist of food, flowers, and money. The food is the portion of the priests; the flowers are

placed on a table before the image; the money, of course, is at the disposal of the priests. A *dagobah*, or mausoleum, is erected within a few feet of most Budhuist temples; and the worshippers are made to believe that these contain some part of the real body of Budhu: they are, therefore, frequently the objects of adoration. An entire tooth of Budhu is affirmed to be preserved in the principal temple at Kandy.

“The tooth of Budhu,” remarks Dr. Davy, “is, by the Budhuists, considered as *the most precious thing in the world*, and the palladium of the country; the whole of which is dedicated to it. It was brought by the daughter and nephew of the king of Kalingoonratte, when in danger of falling into the hands of a neighbouring monarch, who made war for the express purpose of seizing it.” In the rebellion in 1817, this sacred relic having been clandestinely obtained by the insurgents, it became a mighty instrument in forwarding their nefarious plans, and in inspiring their adherents with confidence of the ultimate success of their cause. Its subsequent recovery by our government naturally produced an opposite effect on their minds. From the author of the preceding observations, the following description of the relic is inserted. “Through the kindness of the governor, I had an opportunity (enjoyed by few Europeans) of seeing this celebrated relic, when it was recovered towards the conclusion of the rebellion. It was of a dirty yellow colour, except towards its truncated base, where it was brownish. Judging from its appearance, at the distance of two, three or four feet, (for none but the chief priests were privileged to touch it,) it was artificial, and of ivory, discoloured by age. Never was a relic more preciousy enshrined. Wrapped in pure sheet gold, it was placed in a case just large enough to receive it, of gold, covered externally with emeralds, diamonds, and rubies, tastefully arranged. This beautiful and very valuable bijou was put into a very small gold *karandua*, (a kind of dome or casket,) richly ornamented with rubies, diamonds, and emeralds: this was enclosed in a larger one, also of gold, and very prettily decorated with rubies: this second, surrounded with tinsel, was placed in a third, which was wrapped in muslin; and this in a fourth, which was similarly wrapped; both these were of gold, beautifully wrought, and richly studded with jewels: lastly, the fourth *karandua*, about a foot and a half high, was deposited in the great *karandua*. Here it may be remarked, that when the relic was taken, the effect of its capture was astonishing, and almost beyond the comprehension of the enlightened. Now, the people said, *the English are indeed masters of the country; for they who possess the relic, have a right to govern four kingdoms; this for 2000 years, is the first time the relic was ever taken from us.* And the first adikar observed, That, whatever the English might think of the consequence of having taken Kappitipola, Pilime Talawe, and Madugalle, (the three principal rebel chiefs,) in his opinion, and in the opinion of the people in general, the taking of the relic was of infinitely more moment.”

The reverence paid by the natives to an image of Budhu, may be judged of from a circumstance mentioned by Mr. Har-



vard. A Kandian *adikar*, or noble, on discovering one on a side-board in the Governor's drawing-room in Colombo, arose from his chair with great discomposure, and refused to resume his seat until the idol had been removed to another apartment. This is not atheism, at least in any other sense than all polytheism virtually amounts to atheism, since every system which admits of a plurality of deities, dissociates the idea of God from that of the Creator. If the Budhuistical creed excludes a Creator, so does the religion of the Pantheon. Jupiter, the father of gods and men, had himself a parent and a beginning. We must, therefore, distinguish between the dogma, that the world never had a beginning, and consequently had not a Creator, and the denial of any Supreme Being. Under no form of polytheism is the Creator worshipped. Bramha, to whom that title is given in the Hindoo theology, was himself produced from a *lotus*; and it is remarkable, that he has no temples, nor is his image ever worshipped in India. The idea of creation is too sublime to be entertained by a mind that can take up with the notion of a multiplicity of deities; and thus, when the act of creation is attributed to any of those deities, it means nothing more than an operation of skill or ingenuity in constructing the present world out of pre-existing materials, such as any god out of the 30,000, might have exerted if he pleased. Creator is, therefore, with them an empty title. The God who made the heavens and all things visible and invisible, himself before all things, and from everlasting, is to them an unknown God. We are inclined to think that Budhuism is not more nearly allied to atheism, than any other species of idolatry.

Mr. Harvard has given in the Appendix a very interesting document: a sermon by Petrus Panditta Sekara, a converted priest, in which he gives an outline of the change which had taken place in his own sentiments. We must make room for an extract.

“ Beloved brethren, there are a great number of religions in the world, but of which one only can be the true religion, for all cannot be true. Therefore, that must be the true religion, which admits a Creator, and one only everlasting God. Now, if one, with a hope of saving his soul, turns his back upon the religion of this eternal God, and worships another, his labour may be compared to a famished foolish kid, that endeavours to suck the horns of its mother, instead of the teat. Some religions deny the everlasting God, who created the world. But how, it must be asked, can a rational person believe them to be right? No man can see the soul; yet, from the motions, feelings, and other actions of the man, there can be no doubt of his having a soul. Therefore, my friends, cannot

you be convinced, from this wonderful world, and the various parts of creation, namely, the heavens, earth, sea, sun, moon, stars, men, &c. and their regular organization, that there is a God, and all these are in his works; and likewise, can't we consider that these things cannot be made by themselves, and that it is impossible so to be?

“ If the world was created by itself, and not created by God, how is it possible that the wonderful events thereof should remain invariably the same, without the interposition of God? Will ever a puddly field be ploughed properly, by the oxen alone, without a husbandman? If the creation is of itself, there must be much changeableness in the world, and a want of regular system and order. As, for instance, the members of a man, such as the nose, might come in the place of the ear, and the ear in place of the nose; the chin in the place of the mouth, and the mouth in the place of the chin.

“ Friends, certainly God created the world, and the many things therein. He is an *eternal Being*; he knows the events of the *past*, *present*, and the *future* times: he knows the thoughts of all the inhabitants of the world. If any one doubt that, it is nothing but the mere obscurity which is the cause of his heathenish faith. The chicken in the egg could not see the sun, moon, and the world, being covered with a shell, and its eyes not been open; likewise, my brethren, you can't know and acknowledge the everlasting God, or believe in the Saviour, as you are covered with the shell of heathenish faith, and as you have not the light of understanding. Your eyes are not open: therefore we should rejoice and be thankful to God, and those preachers who lay before us such a just and cheerful religion of a Holy Trinity; consisting of God the Father, God the Son, and God the Holy Ghost. Who can be averse to embrace this religion, offered by those who have some efficient knowledge thereof? Surely none. The Apostle Paul says, in his Epistle to the Romans, chap. i. verse 16, “ I am not ashamed of the Gospel of Christ, for it is the power of God unto salvation, to every one that believeth; to the Jew first, and also to the Greek.”

“ Beloved brethren, I myself was one of the principal preachers of the Buddhist religion, in this island of Ceylon; and during my priesthood, I not only acquired some proficiency in the Pali, Sanscrit, and Singhalese science; I also spent good part of my time in preaching, and learning the religious books of Budhu, and of some other religions. It is well known to you, that I was much esteemed among the Buddhists for my preaching: and was respected and rewarded by royal favours, and by chief ministers of state; yet, I found in that religion, no REDEEMER to save our souls from death; no CREATOR of the world, or a beginning to it. Consequently, I had some doubt always in my mind, as to its reality; and had some suspicion that the world, with its thousands of wonderful parts, was the creation of an Almighty God. While I was reflecting on this, a conversation took place between me and the head priest of Saffragam district, called *Attedassa Teronansey*, of the temple of *Kottembulwalle*. He asked me, who could believe that a child



(as it is said in the Christian religion) could be conceived in the womb of a virgin? To which I answered, If the world, and all its curious things, which we see about us, were created of themselves, it is no wonder that a child should have been conceived in the womb of a virgin. Upon which the priest was somewhat displeased with me. While I was in this condition, I happened, through the blessing of God Almighty, to speak with the pious Rev. Mr. Clough, since which, I have maintained a friendship with him, and have continued to attend and converse with him concerning the Christian religion. By this means, the obscurity and doubts which were over my mind, were perfectly cleared off, and the light of the Christian faith filled my mind in their stead, as easily as colours are received into fine white linen when painted; so I consented to be baptized. While I was in doubt, a large *Mandowe* was erected, in the place called *Galwadogodde*, at *Galle*, for the performance of a very great ceremony of Budhu's religion; there were assembled twenty-eight preachers, (or priests,) including myself, and an immense crowd of common people of both sexes. During that ceremony, I read over two chapters of the Gospel of St. Matthew before the multitude, and spoke to them upon that subject in a friendly manner. Some time afterwards, the people of *Galle* district, hearing that I was at the point of leaving the priesthood, and of being baptized, gathered into a large body, and spoke in such a manner against my intended baptism, that scarcely any man could have resisted them: in consequence of which, I was in a state of perplexity for some time, being strongly inclined to be baptized, on the one hand, and to comply with their request on the other. But after my arrival in Colombo, all the hesitations and agitations of my mind were completely done away, by the sweet and admirable advice I received from the Hon. and Rev. Thomas James Twisleton, the chief chaplain in this island. Just as darkness vanishes by the appearance of the sun, I was enlightened, and was actually baptized, without regarding the aversion and abuse I was likely to undergo from the people of the Budhu's religion; giving up my relations and friends, the teachers of my former religion, and the situation I was in, and the lands and other property which I obtained from the Budhu priesthood. Thus I embraced Christianity, and became a member of Christ's church.

Petrus was chief priest of a temple in the neighbourhood of *Galle*. Such is the Budhuism of the Singhalese hierarchy; but, among the common people, very generally, the only object of religious fear is the devil, and the only object of religious homage, the priests.

' Budhuism of itself is evidently tottering, and were it not in league with devilism, I think that it would soon fall to the ground. But this is now actually the case. The priest of Budhu, while he denies the existence of an all-creating power, acknowledges the existence of innumerable demigods and demons. Houses called *dewallas* are erected, in which the effigy or portrait of the devil,

to whom the place is dedicated, is generally placed. A person, generally known by the name of *Kapoorawla* (the termination *rawla* is one of respect) pretends to have power over, or interest with the supposed devil. The priests of Budhu support the fraud, and these Kapoos support Budhuism.'

Education is unquestionably the main engine which must, in the first instance, be brought to bear upon this mass of palpable darkness; and to the Christian schools, which are now in operation, we may confidently look, if they are carefully watched over, for the eventual extermination of both devil-worship and Budhuism in this long benighted island.

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Art. VI. *Mental Discipline*; or Hints on the Cultivation of Intellectual and Moral Habits: addressed to Students in Theology and Young Ministers. By Henry Forster Burder, M. A. Part the Third. 8vo. pp. 108. Price 4s. London. 1823.

**T**HE former volume of this work, containing the First and Second Parts, we most conscientiously recommended as a code of principles of the first importance to young persons desirous of doing that without which all technical education must be unavailing,—putting forth their own energies to confirm their mental improvement. More methodical and comprehensive than Locke's *Conduct of the Understanding*, more concise and pointed than Watts's *Improvement of the Mind*, that volume is adapted to answer the ends of both; and it is more suited than either to the present more advanced state of society, and the immense improvements in intellectual culture which have been effected within the last half century. The Second Part of the book was more directly calculated to aid Students for the Christian ministry, and those who have not yet grown old in its labours, and inveterate in their own habits; by urging a never ceasing diligence in pursuing plans of improvement, by detailing the most necessary objects in a course of ulterior study, and by directing to the best method of composing sermons. The Third Part, now in our hands, is entirely occupied in directions and cautions upon 'the cultivation of those *Moral Habits* which will facilitate the 'honourable and successful discharge of *Pastoral Duties*.' This is the kind of advice which is usually addressed to Dissenting Ministers in that part of their Ordination Service which is called the *Charge*; a part to which there is nothing comparable as to utility or solid dignity in the splendid forms of episcopal ordination. There are few Dissenting pastors who would not wish to have always present



in their minds the advices and injunctions addressed to them by a senior, and often an aged brother, on that occasion; and very frequently, the press is resorted to, in order to secure the possession of such a memorial of vows, and a stimulant to fidelity, for the retrospects of future life. This work of Mr. Burder's will be a desirable accompaniment to any printed Charge, and will supply, with great advantage, the absence of that monition where it has not been preserved. His plan consists of laying down Thirty Maxims, or Rules of prime importance, on each of which he dilates with a comprehensive and *germinant* brevity.

These disquisitions, or what more properly may be denominated addresses to the understanding and the best feelings, are enriched with many impressive citations from Baxter, Cecil, Booth, Chalmers, and others. If we insert a few of these Maxims, they may serve to convey an idea of the character and tendency of the whole.

' I. Reflect much on the indispensable and transcendent importance of Personal Religion. III. Repress to the utmost the feelings of Vanity and Pride, and the undue desire of Popular Applause. VIII. Let pointed Appeals to the heart, and direct Applications to the conscience, form a prominent feature of your discourses. IX. Do not aim at a degree of Originality to which you are not equal, or of which the subject under consideration does not admit. XVI. Endeavour to regulate, on principles which an enlightened conscience will approve, the time devoted to Pastoral Visits and Friendly Intercourse. XX. Guard against every approach to a Sectarian and Party Spirit; and cherish the feeling of Christian Love to all who embrace the faith and "adorn the doctrine" of the Gospel. XXIX. Observe Punctuality in all your engagements. XXX. Do not hastily abandon a Station of Usefulness, in which you have acquired a moral influence.'

As a specimen of the amplifications, we select some parts of the XVIIIth section.

' *Cultivate and display Christian Zeal for the general interests of true religion, both at home and abroad.* With all the feelings of PASTORAL solicitude, never let the Christian minister circumscribe his desires or his exertions, by the limits of his own peculiar sphere. —Let him sedulously endeavour to excite and to maintain, in full vigour, the same spirit of benevolent activity among the people of his charge. By stimulating them to unite in *doing* good, he will direct them to the most effectual means of *gaining* good. He will most assuredly promote their own prosperity, by animating their zeal and liberality in aid of the cause of bibles, and the cause of missions, and the cause of schools, and the cause of tracts, and all the methods of doing good, on a larger or a smaller scale, which fall within the

limits of their means and opportunities.—In the midst, however, of all his public engagements, let not the young minister venture to extend, without due consideration and needful restriction, his pledges of personal attendance on the meetings of benevolent and religious societies. A senior minister, whose mind is enriched with ample resources which habit has progressively facilitated, may, with impunity, make a sacrifice of hours and days, which a junior minister would make at the hazard of his peace, of his health, and of his usefulness. TIME, and time in large and unbroken portions, he must secure for the acquirement and communication of scriptural knowledge, unless he would abandon at once the hope and the effort of making progress in the lofty and difficult attainments of pulpit excellence. “The habit I recommend,” said Dr. Paley, in his Charge to the younger Clergy, “as the foundation of almost all the good ones, is retirement. Learn to *live alone*.” On the well-proportioned union of retired and diligent study with social intercourse and public engagements, depends, in no small degree, the efficiency, as well as the happiness of the pastor’s life.’

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Art. VII. *Essai sur l'Histoire de la Peinture en Italie*, depuis les Temps les plus anciens, jusqu'à nos Jours. Par M. le Comte Grégoire Orloff, Sénateur de l'Empire de Russie. 2 Tomes. Paris. 1824.

**T**HE origin of the fine arts is a subject that will be always obscure. The chasm is supplied by fable,—a plain demonstration that the genuine tradition is lost. It is fortunately a question as useless as it is dark. It might satisfy an unprofitable curiosity, to be enabled to trace them tottering as it were through their weak and imperfect infancy. The means, however, by which they may be carried to their highest perfection, the causes which assist or impede their progress, the principles of beauty upon which they are to be examined,—these are the chief, and perhaps the only objects, that ought to occupy their historian.

Count Orloff has thrown away, we think, much superfluous diligence upon this unimportant question, as it regards the art of Painting. It is impossible to ascertain how or when it was produced. There can be little doubt, however, that Poetry was the eldest born. It is the earliest language of the soul—its first endeavour to give utterance to its innate love and perception of beauty. Thus, the Jewish scriptures,—Homer,—in short, every record of the primeval world, attests her priority. It is not irrational to conceive, that Painting, like the sister art, was, from her first beginnings, as she evidently is in her more advanced state, an expression of the same internal sense inherent in our nature. Hence, it would be unphilosophical to infer, that its infancy was long,



or that its first attempts were deformities. The admiration of the human form and of the enchanting scenes of external nature, which gave rise to the two corresponding kinds of imitation, would not have suffered even the first artist who held the pencil, to be content with a false and imperfect copy. In this respect, it may be said to have had no infancy. Nor is the miraculous bound made by that art in every country where it has been successfully cultivated, to be accounted for by any other reasoning. We speak only of those countries, for there are nations in which it will always remain in a weak, protracted, unprogressive infancy. An unlimited series of ages, perhaps, would not permit the proverbial diligence of the Chinese to acquire the slightest skill in painting—we mean not in the mechanical, but in the ideal branch of the art. On the other hand, it arose in Greece and in modern Italy almost spontaneously, and grew there with the quickest luxuriance.

What the art owes to the forcing process of patronage, is another question which has employed much useless discussion; and those who take directly opposite sides of the controversy, are nearer the truth than they mutually imagine of each other. Greece swarmed with artists long before the time of Pericles, and Florence had her school before the munificent period of the Medicis. It is a favourite hypothesis also of some writers, among whom is Winkellman, that there is an inseparable connexion between civil liberty and the cultivation of the arts. Others have contended, and with greater speciousness, that they advance more rapidly under the protecting beams of royal patronage. There is truth in both these systems, but in neither exclusively. To assert that the arts will thrive most under a despotism would be false: it is equally untrue, that they can flourish only under a free government. Truth seldom resides in extremes. If there were a necessary connexion between painting and political freedom, New York and Washington ought to produce her Michael Angelos and Raffaelles: if the perfection of art followed that of civil institution, Great Britain must have had long ago, that which she has never had hitherto, her school of artists. Nor was the great era of painting in either Greece or Italy, precisely that of political freedom. It was under the sway of Pericles, who for forty years was virtually at the head of Athens, and during fifteen its sole tyrant, that Phidias formed his great and sublime style, of which the few fragments that have survived the wreck of time, are the wonder, the delight, the despair of succeeding artists; and Parrhasius during the same period painted those great works which, though lost to modern times, still live in the eloquent praises of antiquity. In Italy, the most auspicious pe-

riod of the arts was under a similar government. The Medici did not restore the republic of Florence: their power was a dictatorship, which suspended the free forms of the constitution. Leonardo da Vinci, Fra. Bartolomeo, Michael Angelo, and Raffaello were reserved for that tranquil sovereignty. At the death of Lorenzo, the arts migrated to the quiet asylum of the Vatican. The brightest eras at Athens, ancient Rome, and Florence, were those of Pericles, Augustus, and Lorenzo. The truth is, they will flourish, wherever they are protected, wherever the love of luxury exists, and the means of acquiring it are abundant.

Are there not, however, other moral causes that influence their growth? Is there not a perceptible pathology in nations, according to which their genius or their aptitude towards particular arts, holds a manifest sympathy with the objects of external perception? Nature lavished with the fondest prodigality every charm of clime and scene upon Greece. Her delicious landscape respired with those enchanting beauties which Sophocles has so exquisitely painted in his *Cædipus*. Above all, the human person in that country was endued alike with the nobler attributes and more delicate symmetries of form. The Greeks could not, therefore, but catch from the loveliness and grandeur of the visible creation, that quick sensibility to the fair and the sublime, so characteristic of their nation, and people the world of imagination from the images of outward beauty which were extended before them. Perhaps, the same observations would apply in part to Italy, in whose soil the arts would probably have sprung up during the more ancient periods of her glory, but for the counteractions of the military pride and republican austerity of the Romans, who railed against them with Cato, and decried them as the badges of servitude.

It is to be lamented, that we have no satisfactory records of the state of Painting in early Greece. Count Orloff, treading the beaten track, is quite content with the authority of Pliny for his catalogue. In truth, it is the best that we have; but to repose with complete acquiescence in his dates and his chronological series, would lead us into innumerable errors, and instil into us the unfounded conception that we had a correcter list of Grecian painters and their works, than we are entitled to boast of. To be sure, Count Orloff's chapters go off glibly. He displays no solicitude concerning the epochs when the Grecian painters severally flourished, but implicitly adopts the nomenclature of Pliny, who tells us, that such and such artists *flourished* at such and such an Olympiad;—a method which has unfortunately left us in the greatest incertitude upon this



interesting point, since the life of each must have extended over several Olympiads. We are, therefore, in a state of entire ignorance as to the order and succession of the schools, as they arose in Greece. With these deductions, however, we have no doubt that Pliny, who drew his materials from Grecian chronicles\* no longer in existence, was, generally speaking, accurate in his statements.

We are inclined to rank the vaunted excellence of Etruscan painting among the dreams of the learned. The Etrurians must have derived their conceptions of art from the Egyptians, whose forms were uncouth and rough, and executed in total defiance of rule and proportion, the study of anatomy being interdicted by their superstition. It is in Greece, then, that we must look for the earliest schools of painting. But before the time of Phidias, we must not expect to find the grand masterpieces of art. Those who preceded that era, seem to have resembled the Italian artists of the middle age, Guido of Sienna, Giotto, and Cimabue. Panaceus, the brother of Phidias, painted the battle of Marathon,—a subject calculated to flatter the pride and patriotism of the Athenians. The correctness of the drawing and the truth of the colouring were highly extolled. Polygnotus was the Corregio of antiquity: like Nicholas Poussin, he embellished his landscapes with the most beautiful architecture. Parrhasius, Apollodorus, Zeuxis, Androcydes, and Timanthes seem to follow; but in what order of succession, or with what intervals, it is impossible, for the reasons we have already hinted, to ascertain. The celebrated contest between Zeuxis and Parrhasius does not, perhaps, attest so high a state of the art, nor so great a conflict of genius as Count Orloff supposes. Zeuxis had painted a bunch of grapes with such exactness, that the birds pecked at them: Parrhasius, to deceive his friend by a similar illusion, painted merely a curtain, which appeared to conceal one of his recent productions, and told Zeuxis that he had just finished a piece, on which he wished to have his opinion. Zeuxis, anxious to see it, instantly attempted to undraw the curtain. But this was the triumph of skill, not of genius. How inferior to the sublime conception of Timanthes, who, in his picture of the sacrifice of Iphigenia, veils the countenance of Agamemnon, to delineate the more forcibly the sorrows of a parent, or rather, to intimate that they

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\* Heyne on the Epochs of Grecian Art, as pointed out by Pliny. Gottingen, 1785.

were beyond the powers of the pencil\*! The great works of Parrhasius were, his satirical picture of the Athenian people, and his portrait of Theseus, which were placed in the Roman capitol after the conquest of Greece. The great ornament of the Athenian school, was Aristides. Pliny gives an elaborate description of his picture of a besieged town. The place is carried by assault; the soldiers spare neither sex, nor age, nor infancy; and amongst the melancholy subjects that fill the picture, is a young mother still in the bloom of beauty, who, to escape the brutality of the besiegers, has thrown herself from a battlement with an infant in her arms. On recovering in some measure from her fall, her first instinct is to administer the breast to the infant; but she has been mortally wounded in that part by the sword of the enemy before she escaped, and her blood mingles with the maternal aliment. The infant manifests the utmost desire for its food, and the anguish of the mother far exceeds that of Niobe herself. Aristides, says Pliny, in this painting, surpassed the eloquence of Demosthenes, and the pathos of Euripides.

The Greek painters generally chose simple subjects, and their groupes were few. In some of their historical subjects, however, their compositions were as complex as those styled in Italian painting *machinosi*. The painting of the battle of Salamis by Aristides, contained at least a hundred figures. The art is said by Strabo to have arrived at its last perfection under Apelles, who followed him. Italian art had a similar destiny. Corregio followed Raffaele, as Apelles followed Aristides. Apelles shone in the delineation of female beauty. His Venus rising from the ocean, (the prototype of the statue known by the name of Anaduomene,) his Alexander the Great as Jupiter Ammon, his Diana surrounded by the nymphs of Cynthus, a subject taken from Homer, are highly eulogized by the ancient writers for the exquisite grace, the soft, resistless charms of the goddesses, and the stern grandeur and heroic port of the Macedonian. His celebrated picture of Calumny, for the description of which we are indebted to Lucian, was an allegorical painting as beautifully finished as it was happily imagined. This great artist paid equal attention to the mechanical and the imaginative parts of painting. He laboured with intense diligence, and finished with the utmost precision. Coeval with Apelles and Aristides was Protogenes, who is said

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\* Caput Agamemnonis involvendo, nonne summi mœroris acerbiter arte exprimi non posse confessus est? Valer. Max. l. 3.



to have finished his pieces too highly. His master-piece was the Jalissus, the founder of Rhodes, for which the public honours of the city were decreed to him. He was so intensely occupied with this picture, that he took no other food than a few peas ready boiled during its progress, that he might not be liable to the interruptions of regular meals. It was in this work, that trying to paint the foam of a dog panting with heat, and not succeeding to his wish after several efforts, he threw his crayons at the picture in despair. Accident effected what skill could not achieve, and the foam of the animal found an exact delineation.

The Greeks had their Flemish painters. Pereicus sacrificed the ideal beauty of the art to skilful and exact painting. His subjects were low, but he acquired great reputation. Serapion was the Claude of antiquity. Like that illustrious modern, he embellished his landscape with a beautiful sky, and with elegant pieces of architecture; but, like Claude, he was compelled to call in the aid of another artist to execute his figures. The school which illustrated the age of Alexander, as well as that of Phidias at Athens, had, according to Count Orloff, the blended characteristics of the Roman, the Florentine, and the Bologna schools, and were worthy of the glory acquired by the Carracci, Guido, and Corregio; but these 'are whirling words,' and, as applied to a subject upon which there are no *data* of comparison, worse than indefinite. Pausias, Phidias, (also a painter,) Euphranor, Nicias, who excelled in *chiaro oscuro*, are followed by a long list, of whom nothing but the names survive. Among these was Polygnotus, of whose works we know nothing. He had, however, arrived at the summit of human reputation. The Amphyctionic council, in gratitude for his historical pictures illustrative of the great deeds of Greece, decreed him public thanks, and came to a vote which ordered every town through which he passed, to lodge and board him at the public expense.

The state of the art among the ancient Romans, may be rapidly dismissed. They cannot be said to have had a school. When foreign conquests had introduced foreign luxuries, the *chefs d'œuvre* of the Greek painters were among them. Their painters and sculptors were slaves, for these arts were esteemed beneath the dignity of free-citizens. Yet they loved what they thought it beneath them to execute. The surname of *Pictor*, given to Fabius, who embellished the temple of Salus on the Quirinal hill, was one of derision. His works, which were frescoes, were destroyed in the reign of Claudius, by a fire which broke out in that edifice. We are ignorant of the subjects of his pencil. Not another Roman artist is mentioned

till forty years afterwards; viz. the artist, his name has not been preserved, who painted the taking of Carthage.

Pacuvius, the comic poet, was also a painter: he embellished the temple of Hercules in the Boarium. From his age, down to that of Pliny, not a single name occurs but Turpilius, a Roman knight, who painted with his left hand. Aurelius acquired some celebrity about the period of the triumvirate. The patronage of Augustus warmed a few indigenous artists into life, but they are of little note. From Augustus to Nero, a painter named Amulius is the only name that is mentioned. He was employed by Nero to embellish the Golden Palace, but his works perished when that edifice was burned. Two artists, Cornelius Pinus and Accius Priscus, flourished under the reigns of Vespasian and Titus: Pliny eulogizes the latter. Corinth, Athens, Sicily, filled the galleries of Rome with their treasures. By a sumptuary law of Augustus, private citizens were prohibited from collecting statues and pictures, which were declared public property, and dedicated to the decorations of temples, baths, and basilica. The discoveries of Herculaneum and Pompeii, and the baths of Titus, where the celebrated Aldobrandini paintings were found, have fortunately enabled us to form a tolerably correct conception of Roman painting; a subject on which we must be permitted to make a remark or two, Count Orloff having, to our great surprise, passed it over in complete silence, and contented himself with a dry and barren nomenclature. It is an obscure topic, but not wholly incapable of elucidation.

The great works of Grecian art were, as we have remarked, exclusively appropriated to public edifices; but the houses, the villæ, and the thermæ of the Romans were profusely decorated with paintings. Whoever has visited the baths of Titus, the cielings and walls of which are still adorned with the most exquisite productions of the Roman pencil, will not hesitate to protest against the vulgar notion that they had not advanced beyond the infancy of the art. The paintings in arabesque, found among the ruins alluded to, even in the present faded state of their colours, and with a great part of their outlines almost obliterated, are executed with a grace, freedom, correctness of design, and command of pencil, worthy of the warmest admiration. In these paintings, all the varied forms of beauty, fauns, bacchantes, loves and graces, wreaths of flowers and groupes of the loveliest imagery, are assembled and arranged with the happiest combination. They served Raffaele as a school of art, and they were the constant study of N. Poussin, who transferred them into his own learned compositions. In those specimens, however, two grand defects are observable.



First, the violation of lineal perspective, all the figures being in relief on the same plane; secondly, the want of light and shadow, in which the Grecian artists excelled,—that magic of chiaroscuro, which produces so much of the effect of modern painting.

It is, perhaps, true, that, in appreciating the exquisite arabesques in the baths of Titus or the corridors of Hadrian's villa, and the paintings taken from the walls of Pompeii, we are unconsciously biassed by the charm of antiquity: while we gaze at the unimpaired outline and brilliancy of colour preserved through so long a succession of ages, we naturally lend them a beauty not their own, and contemplate them with feelings which no production of yesterday, how perfect soever, would awaken. This may be so. Yet, who can deny them the merits of truth, freedom, and correctness of design? From the specimens of Roman painting at present visible, it may, however, be inferred, that they were wholly ignorant of landscape-painting. The few designs of landscapes found at Pompeii, are scarcely one degree above the drawings on a china plate. But we ought, in estimating the merits of ancient painting, to remember that those specimens are not probably of the first order. Arabesques covering an immense extent of rooms and passages, were intended for general ornamental effect only, and ought not to be rigorously tried as productions of individual excellence. Arabesques were designed chiefly for architectural decoration. They belonged, therefore, to the humblest and most unambitious department of the art. And if we could for a single moment conceive the violent improbability, that the great masters of the day had condescended to embellish the humble dwellings of a distant sea-port like Pompeii, or to paint by the acre the long series of buildings that composed the *Thermæ* of Titus, how could their powers be exhibited on the small scale and restricted plan of this class of painting? What would have been the fame of Raffaello, if he had bequeathed to posterity nothing but his arabesques? What are they, when compared to the immortal frescoes of his *Camere*? But the supposition is absurd. The great extent of the baths of Titus, and the rapidity (as it appears from Suetonius) with which they were executed, are conclusive proofs that they were not produced by the labours of one, two, or more superior artists. They must have been the work of a multitude of painters. The general equality that reigns through the whole, is a decisive proof that the hand of no pre-eminent master was employed in the specimens of which any relics still remain to us. If, however, as there is such ample reason to infer, the painting

called the *Nozze Aldobrandini*\* (so called from the gallery to which it originally belonged) was adequate, from its classic beauty of design, composition, and expression, to the formation of an artist like Poussin; if most of those which were found at Herculaneum and Pompeii were of not inferior excellence; and if, as it is natural to infer, they were all the works of artists of mediocrity only;—it is an equally natural inference, that a certain perfection, and a correct knowledge of the most important principles of painting, were generally diffused among the Romans. The best works of the first masters must have been of the highest class of excellence. If these were painted by obscure and undistinguished artists, what must have been the perfection of those painters who, as Pliny tells us, rivalled the fame of Apelles and Zeuxis?

We have been induced to linger the longer on the subject of ancient art, and to follow Count Orloff with the more minuteness through his nomenclature, as it is that part of a hackneyed tale which is the least familiar to general readers. We shall pursue him now with lighter steps, and we are the more indisposed to an analytic examination of his volumes, inasmuch as the history of Painting in Italy came under our notice two years ago, when we reviewed the flippant and rambling work of the Count de Stendahl on the same subject.† Nor was a new work of this kind at all a desideratum. Vasari, as far as he goes, Lanzi's *Storia Pittorica*, and our own dictionaries of painters, would have supplied all the intimations that can be fairly required.

The frescoes found in the catacombs were executed for the most part in the early periods of the Christian Church. Many of them, like the *Lusiad* of Camoens, mingle heathen fables with Christian history. From the fifth century, the art underwent a rapid degeneracy. Nothing can equal the bad taste of the paintings found in the vast catacombs of Italy and Sicily. A hard redness like that of brick-dust, thick, dingy tints, a deadly cadaverous whiteness, were the colours expended by the artist on those sacred subjects which, in the hands of Raffaele, or of Guido, inspire with awe and delight.

\* An opinion is still prevalent, and has long wandered, that Painting, as well as the other arts, had, soon after its first degradation under the later Roman emperors, ceased to exist altogether in Italy, the barbarians having given it the finishing stroke, by destroying the great master-pieces of antiquity. This opinion, like many others, taking its root in ignorance, was in a great measure owing

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\* It is to be still seen, as we are informed by a friend just arrived from Rome, at the house of Sr. Nelli, 152 Corso.

† E. R. Vol. XVI. N. S. p. 125.



to the carelessness with which scholars and antiquaries have examined the contemporary histories of the barbarian invasions, the chronicles and lives of kings and saints of those anarchical and disastrous ages. We know that the Goths had kings, who repressed the devastations of the countries they overran, and that Theodore, among others, paid a species of homage to the arts, not only by preserving the monuments of Greek genius then extant in Italy, but in causing new works to be executed in that country, particularly at Ravenna, where he resided. Among these are the paintings executed by order of Queen Theodolinda on her palace walls at Monza in the Milanese, historical representations of some of the exploits of her nation. Muratori and Tiraboschi have noticed these specimens of art in the middle ages; and engravings of them have been published by Ciampini.

‘The iconoclasts did not work such complete mischief to the arts, as is commonly supposed. A great number of ecclesiastics, who combined the cultivation of the arts with the duties of their calling, fled to Rome about this period, from Constantinople, where a fierce and intolerant fanaticism, not content with destroying images, butchered those individuals in whose possession they were found. The popes received them. Monasteries were assigned to them, where they were equally assiduous in their religious duties and in the cultivation of painting. Modern Rome rose from the ruins of ancient Rome. Thanks to the signal concessions made by the temporal to the spiritual power, and which were so soon to be united, Rome was enriched with a number of new pictures, which adorned her palaces, her churches, and her catacombs: and if many of these subterraneous depositories had not fallen in, we should have had an immense series of frescoes, which, added to those still extant, would have enabled us to trace with more certainty, the history of the art during those ages.’ Vol. I. pp. 88, 89.

For ourselves, we resign those monuments of art, as Count Orloff too courteously terms them, without the slightest regret. Our Author's remarks, however, upon mosaic painting, are worthy of notice.

‘It is well known, that the ancients, endued with a character at once persevering and vain, prone to great enterprises, and determined on finishing whatever they began,—eager in some sort to prolong their memory, by monuments more capable of being preserved than the marble or bronze of the sculptor, and seeing how perishable and fragile are the productions of painting, though the only art through the medium of which, tints and colours could be communicated to the eye,—resolved that it should emulate sculpture itself in durability, and for that end composed pictures with stones of different colours. Hence the art of mosaic, called by the Romans, *opus tessellatum*. With small pieces of stone cut into cubes, square, round, triangular, &c. they produced a great variety of forms and colours, as well as of groupes and figures;—in short, they represented various mythological subjects before the Christian religion dominated, and many religious ones, after its establishment. By means of this laborious and tardy process, they hoped to save the art

of painting from the shipwreck of time. Unfortunately, the art of mosaic was not employed on the great works of ancient art; but after the lapse of twenty centuries, it has been the medium by which the masterpieces of Raffaele, Dominichino, the Carracci, and Corregio have been handed down to us. The Christian artists who, in the fourth and fifth centuries, devoted themselves to mosaic, at first selected the subjects of the old paintings discovered in the catacombs and the churches; subjects taken from the Old and New Testaments. But they fell far short of their originals, and mosaic became as barbarous as painting itself. The best mosaics are of the fifth century; some of them are imitations of the bas-reliefs of the column of Trajan. Ravenna had, from the fourth century, mosaics, the designs of which are much inferior; they are chiefly sacred subjects, such as the Ascension and the Sacrifice of Abraham: at last, they descended to a representation of the palace built by Theodoric. In the seventh century, mosaic was as barbarous as the painting of that age. In the mean while, Charlemagne conceived a great predilection for the mosaics, which he had first seen at Rome. Besides those which he caused to be executed in the basilica of Aix-la-Chapelle, he was himself the subject of one of the best of that period, in which profane traditions and scripture truths were fancifully combined. In the ninth century, the departure from the pure principles of art was still more flagrant. Several mosaics were executed in still worse taste, for the decoration of the inelegant churches of that age. The ancient genius had fled. Some Greek painters were invited afterwards by the Venetians to decorate their churches, and particularly their celebrated cathedral of St. Mark. The greater part of these artists, called by the Italians *mosaicisti*, had practised their profession at Constantinople. In the twelfth century, an artist called Apollonio acquired great celebrity. In the thirteenth, the Tuscan painters distinguished themselves in sacred subjects. These artists displayed a visible improvement in correctness of design. At last, Gaddi, afterwards the pupil of Cimabue, the destined restorer of painting, revived at the same time the degenerated art of mosaic.' Vol. I. pp. 100—6.

The dark ages produced artizans, rather than artists. Count Orloff observes with great propriety, that the Greek statues which abounded in Italy, first imparted to the Italian school of painters, that truth of design which is so essential to the art, and have since preserved them from the aberrations in which other schools have lost themselves. The Count is indebted, however, to Lanzi's *History of Painting*, not only for his materials and his arrangement, but for the greater part of his criticisms. He could not have relied upon a safer authority, but the utility of his work is rendered still more questionable by the fact. With Lanzi, our Author cites Giunta of Pisa, as the first restorer, in the twelfth century. Forty years after, appeared Cimabue. Lanzi calls him the Michael Angelo, and Giotto, who followed him, the Raffaele of the time. Giotto at first imitated, but soon improved upon the manner of his



master. His Annunciation, however, retains the stiffness of design, the raw and glaring colour of the bad period of the art. But this was his first picture: he afterwards attained a more flowing outline, and introduced warmer carnations. It is said of Giotto, that Pope Benedict, being desirous of inviting good artists to Rome, sent to Giotto for a specimen of his painting. The only answer was, a simple circle traced on paper with a pencil. The Pope rightly interpreted it, and Giotto was invited to Rome. Masaccio constitutes a distinct epoch: he was the forerunner of a still more brilliant school. Oil-painting was introduced about this period, and it is a memorable event in the progress of the art.

The Florentine school attained its highest glory in the fifteenth century—the age of Leonardo da Vinci, Michael Angelo, and Andrea del Sarto. These great names have been brought under our notice in a former article, and we must therefore leap over to the Roman school, and to its greatest ornament, Raffaello, called by Lanzi, the Prince of Painters. His father was himself an artist of mediocrity; but Raffaele inherited from him no portion of that greatness which was exclusively his own. He began to paint at seventeen years of age. His first picture was that in which he profanely ventured on the representation of the Supreme Being surrounded by angels. His first portrait of the Virgin was remarkable for the air of tenderness and sanctity he imparted to it. At Florence, he studied the works of Leonardo da Vinci, Michael Angelo, &c., and learned perspective of Della Porta. What is called the second style of Raffaello, was not acquired till his second visit to Florence four years after his first. His grandest picture painted in this manner, is the Holy Family, now in the palace Rinuccini. Vasari, with an Italian's enthusiasm, extols his Dead Christ by the epithet of '*divinissimo*.' There are few figures; but all seem to contribute to the majestic sorrow which pervades it. Raffaello arrived at Rome in the meridian splendour of his genius, enlightened by study and experience.

'In the saloon of the Vatican, called *Della Signatura*, Raffaello painted that beautiful allegory, the school of Athens. Plato, Alcibiades, Pythagoras, and Diogenes appear in this painting. Trebonius receives the civil code from Justinian; Gregory IX. presents his decretals to an advocate of the consistory. On the other side, Apollo is wandering over Parnassus with the Muses, Homer, Virgil, and Dante, while on the sea-shore, St. Augustine is meditating on the Holy Trinity, and in another corner, Archimedes is killed by a soldier at Syracuse, at the very moment when he was engaged in one of the greatest problems of philosophy.

‘ The vision of Heliodorus in the temple, which was painted for the second chamber of the Vatican, is, of all his compositions, the most sublime. The warrior who appears in a dream to Heliodorus, looks like the Jupiter of Phidias. Nothing can exceed the grandeur of his attitude, the awful expression of his countenance, the terrible effect of his hostile port and movement. We are inclined to believe that the weapon which he grasps is thunder. His horse seems to neigh, and the figures in the temple, terrified at the affrighted looks of Heliodorus, without divining the cause of his terror, discover so much consternation and alarm, that we immediately perceive to what a high point the artist carried the expression of truth, and the ineffable graces and terrors of his genius. The figure of Onias was intended for Julius II. The first work painted by Raffaele for Leo X. was the Deliverance of St. Peter. It was a slight allusion to the imprisonment of that Pontiff at Ravenna. It was here, almost for the first time, that he displayed the fullest knowledge of the art, and particularly his profound skill in light and shadow. The sentinels of the prison are lighted at once by the moon and a torch. But these lights fade before the divine light of the angel who is descending from heaven to release the holy captive. This light has all the brilliancy and clearness of that of the sun, and this triple effect shews the admirable conception of the painter. The stairs on which the sentinels are sinking into sleep, shews also the felicity with which he could graduate, soften, and spread his shadows.

‘ The Victory of the Christians at the Port of Ostia, entitles its author, says Lanzi, to the epic laurel. Coursers, warriors, the fury and the bustle of battle, eagerness for victory, the shame and dread of defeat, are all expressed in this picture by the creative omnipotence of genius. But the picture representing a fire in one of the suburbs of Rome, is still more terrific. Night has covered the city with her shadows,—the inhabitants are buried in sleep—when all at once cries seem to be heard, and the whole mass of people arises in consternation. The conflagration spreads from house to house, and Rome is enveloped in flame. Pity and terror are powerfully excited: women half naked are seen with infants in their arms, some of whom are lifting up their eyes to heaven, imploring its compassion. The scene of Æneas and Anchises is introduced: a young man, inspired by filial affection, snatches his aged father from an edifice which is tottering to its fall, and bears him on his shoulders through the fire. Leo the Great appears in the distance on his palace, and from the top of the Vatican, full of Divine inspiration, pronounces his benediction, and the fire is extinguished.’ Vol. I. pp. 193—199.

The history of Raffaele and his works comprehends two distinct eras of the Roman school. The third dates from 1527, when the troops of the Constable of Bourbon committed their barbarous ravages in the Vatican. In this disturbance, some of the finest works of this great master suffered considerable damage. F. Sebastiano, who attempted to restore them, deserves the reproach cast at him by Titian, of having destroyed



them. We agree with Count Orloff, that the decline of the school of Raffaello some years after his death, was chiefly owing to the public calamities of Italy, which fell so heavily upon Rome. The caprices of public taste, the inconstancy of fashion, but above all, we are inclined to add, the total want of genius in the professed mannerists who came after him, accelerated its decay still more, towards the end of the seventeenth century, after it had experienced a short revival under the Barocci, the Sacchi, and the Baglioni.

The Bolognese school, comprehending some interesting particulars of the three Caracci,—those of Ferrara, Genoa, and Venice, the several schools of Lombardy, and that of Naples, occupy the second volume of this amusing work. We can only extract a short part of the notice of Titian.

‘It is to this artist,’ says our Author, ‘that nature has accorded the rightful title of the Painter of Truth. Without meanness and without bombast, he was scrupulously addicted to truth, rather than to novelty,—to that which is real, above that which is specious. Almost a boy when he left Bellini, from whom he had learned, that, without study and rule, nothing was to be done in Painting, and that, without patience, no perfection could be reached,—we see him emulating Albert Durer, the most laborious and the most finished of painters. It was at an early age that he painted a Pharisee shewing money to Jesus,—a picture highly laboured: not only the hair, but even the pores of the skin, are given with a fidelity surprising in a work which, notwithstanding the precision of its details, overflows with beauty and elegance. But soon adopting a freer and more liberal style, Titian formed another manner, which delights us by efforts considered till then beyond the utmost reach of the art. His Leda extorted from Michael Angelo an expression of regret that he did not draw as he painted. Tintoretto did him more justice when he saw his St. Peter, the piece which Algarotti pronounced to be faultless.....’

‘Reynolds observes, that Titian displays so much dignity in his works, that his researches after truth enabled him to reach sublimity. To a great knowledge in foreshortening, he adds a happy perfection in the extreme lines. The Venus which he painted for the Florence gallery, exhibits the pencil as a rival of the chisel, and shews to what a degree Titian was conversant with the antique. He made the happiest application of chiaroscuro, and reached in that department the height of ideal beauty; he graduated his middle tints with the greatest care; in a word, he surpassed every other painter in colouring. That the artist spread or contract his shadows with skill, is not sufficient in this difficult branch of the art; nor is it enough to employ simple or compounded tints, and to contrast them ably with each other;—nothing violent, nothing exaggerated. A white dress near dark chairs will give them the appearance of the strongest purple. White, red, black, these are the colours that make the pallet of Titian the laboratory of nature.

‘ In invention, as well as in composition, Titian is rather economical of figures, resembling in this respect the greatest painters ancient and modern. Nothing is forced, nothing stiff in either; you would think you were contemplating ancient bas-relievos, where all is elegance, grace, and perfection. If he is less ingenious than Paul Veronese, he charms by his simplicity: if he has less movement than Tintoretto, he has more judgement, and when he paints battles or bacchanals, he is as fertile and as bold as those two great masters of his school. As to expression, particularly in portraits, he is not surpassed by Raffaello.’ Vol. II. pp. 82—84.

To these criticisms, we must add a slight one of our own, respecting that important branch of the art, in which Titian is allowed to have excelled. Although colours, as an imitation of nature, may be said to have been brought by this artist to perfection, still, the harmony which results from a judicious choice of colours, was not well understood in the Venetian school. They seem, however, to have paid a due attention to reds, which are the most striking of colours, and which they generally distributed with great judgement, either near the middle, or in equal proportions through the whole extent of the canvas. Greens and blues were but little used, and only to relieve the others; yellows and browns seldom. Hence, the active colours preponderated, and gave a general warmth to the painting; but the eye is not relieved by the harmonious assemblage of all. The Venetian masters also employed with the most scrupulous care, unmixed colours in the draperies, in order to relieve more effectually the mixed tints of the skin; and Titian introduced the artifice of a white linen drapery between the skin and coloured drapery. But in the carnation tints, they were never equalled.

The last chapter of Count Orloff's book conducts us to the actual state of Painting in Italy. Cammucini, born in 1773, is confessedly at the head of the modern school. His most celebrated picture is the Presentation in the Temple, for a church in Placentia. The heroic subjects of Roman history, however, are those which he has most affected. He has been accused of not being a good colourist; but he has certainly surpassed all his contemporaries in design. Raffaello, Domini-chino, and Andrea del Sarto seem to be his great models. Connoisseurs have compared his cartoons to Raffaello's. He is still in the vigour of life, and in all probability, his career may be yet protracted for many years. Landi is classed among the first artists of Rome: his picture of Jesus meeting the women on Calvary, is admired for the variety and expression of the countenances. At first sight, his colouring is apt to strike, but, upon a more attentive examination, his drawing is found



incorrect, and his tint unnatural. His Venuses and his banditti have the same rose tints. He is said to invent his compositions by means of models in clay, placed in the attitudes and groupes which he intends to paint. Count Orloff speaks in terms of high panegyric of young Agricola, a rising artist not yet twenty. He is devoted to the study of the antique, and to the manner of Raffaele. His drawing is correct; his colouring is in the style of Sanzio; his chiaroscuro is admirable, and his flesh equals that of the best masters. If this young artist perseveres with the same ardour in the career he has begun, and is not misled into false taste or want of exertion by extravagant praise, he will in all probability attain the highest rank in the art. A long list of names succeeds, which illustrates the assiduity and industry with which the art is still pursued at Rome; but we agree with Count Orloff, that the existing school languishes in a state of almost hopeless mediocrity. If, however, the regeneration of Art in Italy be a rational expectation, that happy result must be looked for almost exclusively in Florence, where, for the last twenty years, the art has been philosophically taught and laboriously studied. Her academy, instituted on the most liberal principles, has produced, and is still producing, students fitted to tread the higher walks of painting, and to emulate their predecessors in the best ages of the Art.

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Art VIII. *Plurality of Offices in the Church of Scotland Examined*, with a particular Reference to the Case of the very reverend Dr. Mc Farlane, Principal of the University of Glasgow. By the Rev. Robert Burns, Minister of St. George's Church, Paisley. 12mo. pp. 298. Price 3s. 6d. Glasgow. 1824.

THE case of Principal Mc Farlane, to which we have more than once had occasion to advert, will come on before the General Assembly in the course of the ensuing month; and three things will be determined by the issue: first, whether patronage in the Church of Scotland is subject to any ecclesiastical control; next, whether Presbyteries are possessed substantially of any power or independence in matters nominally subject to their cognizance; and thirdly, what is the real strength of the evangelical party in the Church of Scotland. Neither the *jus divinum* nor the expediency of Presbyterianism has ever been made apparent to our dim perceptions; but even if we could bring ourselves to look upon the presbyterian discipline as scriptural, so far as regards the constitution of presbyteries, or could go a step further, and acquiesce in the expediency of synods,—this said General

Assembly, with its Lord High Commissioner, would be more than we could possibly digest ; we could as soon swallow the whole bench of bishops, or the Pope himself. If the King, or his Commissioner, is at last to be the head of the Church, whether that Church be episcopal or presbyterian in its forms, becomes a matter of comparatively little moment to us ; it is “ of this world,”—its spiritual character is nullified.

The present work appears to be the result of very extensive and acute research. It embodies a mass of information bearing on the general subject of pluralities in the Church of Scotland, which lay scattered over voluminous and antiquated tomes of ecclesiastical history and statute law. As an historical and legal argument, it does the Author great credit, and will not cease to be a valuable document when the question at issue is disposed of. The part of the work which alone concerns Christian ministers at large, is that which treats of the nature and extent of pastoral obligation on general grounds, and of the compatibility of academical charges with the pastoral office. This is a subject of wide extent and considerable delicacy. We cannot say that we are altogether satisfied with the manner in which Mr. Burns has treated it, but we are not sorry to have it brought into discussion. According to the view here taken of pastoral obligation, all secular engagements are a sort of pluralities,—a union of offices or of callings being not less at variance than a plurality of benefices with the principle contended for. Our readers will perceive that Dissenting practices are here as much implicated as the practice of the Established Church. Both are identified in the following passage.

‘ The circumstance of St. Paul having occasionally employed himself, for particular reasons, in a mechanical occupation, has been commonly adduced, by certain classes of religious professors, as an argument to prove, that there ought to be no *distinct order* of pastors ; that any member, whom the rest may think competent, may be set apart to the duties of *preaching elder* ; and that as the ordinary business of life is supposed to be carried on at the same time, no maintenance is allowed, except in cases where that business does not yield a competency. It was not till of late, that the advocates of pluralities in the church made common cause with these sectaries. The reply we have given will suit the reasoning of both ; and if the votaries of pluralities are not satisfied with our reply, but still cling to the example of the great Apostle as favourable to their views, we make them welcome to the benefit of that example, with this understanding, that they shall imitate it also in its *spirit* and *leading principles*, as well as in its outward actings. Paul wrought as a tent-maker because “ necessity ” sometimes required it. Are they prepared to assign the same reasons ? Paul did so that he might preach the Gospel freely and without charge to the Gentiles. Are they



prepared to say that this is their motive? Paul was either offered no stipend from the people, or, for proper reasons, he declined accepting any. Can they plead the same thing, or are they prepared to copy his example? In fine, Paul was a *Missionary*, perpetually travelling from place to place; and it was not to be expected that he could obtain a competent maintenance from any particular class among whom he might *occasionally* minister. But are they prepared to sanction the "*Ministerium Vagum*," and to devolve every minister of the church on "his own resources," or on the voluntary donations of the people?" pp. 23, 24.

Mr. Burns has here, inadvertently, we doubt not, confounded things that essentially differ. Between the anti-Scriptural tenet, that 'there ought to be no distinct order of pastors,' and the general practice of Congregational Dissenters which 'devolves every minister on the voluntary donations of the people,' he would find it difficult to establish the slightest connexion. We cannot suppose our Author so ill informed as not to know, that, with the former sentiment, Protestant Dissenters in this country are not chargeable; and though in Scotland, such a notion may have been broached, he must be aware that his neighbours, Dr. Wardlaw and Mr. Ewing, who may be considered as tolerably representing the sentiments of Scotch Congregationalists, maintain a very opposite opinion. Our colleges and academies are designed for the education of a distinct order of pastors, and it is seldom by choice that any other calling is united with the pastoral charge by Dissenting ministers. It is undeniable, however, that a numerous class of those who "preach the Gospel" are unable to "live of the Gospel;" and it seems hard to brand with the name of pluralists, all those who find themselves compelled to open a school—the usual resource—or even, like St. Paul, to labour with their own hands, in order to provide all things honest in the sight of men, and to minister to the necessities of a growing family. Mr. Burns, however, might disclaim any imputation of blame in such cases of unhappy necessity; but he would perhaps say, See the effect of devolving the minister on the voluntary donations of the people! He might say this, but with what grace or reason would best appear from comparing the condition of ministers dependent on the voluntary support of their people, with that of a large proportion of the ministers of endowed establishments. Are there no pastors in the Established Church of Scotland, who are obliged to labour with their own hands to make up for the narrowness of their stipends, and to whom the voluntary contributions of many a Dissenting congregation would be rich promotion in comparison? If not, we can tell him that, in the South, we can match against every poor Dissenting pastor,

a half-starved curate, and that not even Lord Harrowby's bill, which the Episcopal Bench were ill pleased with, can protect the poor ecclesiastical labourer from injustice in the bargain with his beneficed employer. The fact seems to be, that no mode of providing for the support of the Christian ministry, can altogether preclude there being a class of labourers whose stipend shall be inadequate to their maintenance. For even were the salary rigidly proportioned to the duty, in small parishes or small congregations, it would inevitably fall below what is required for the support of a minister with a large family. It does not always follow, that the poorest minister is the most inadequately paid by his people, the number of the congregation, and the extent of the demands made upon his time, being taken into the account. It is obvious too, that, as to the compatibility of other engagements with the pastoral office, much must depend upon the specific nature of the particular charge. A congregation of 300 hearers cannot demand the same exclusive and unremitting attention that will be requisite in the case of a charge embracing 1500 or 2000 souls. A school, a small farm, or a professorship might possibly leave the pastor, in the former case, at leisure to devote as much attention to the oversight of his little flock, as they could expect to receive from the pastor of a large parish or a crowded congregation.

But let us not be misunderstood. We are no advocates for mixing up such avocations with the pastoral function. The Apostolic rule is in all respects the most equitable, and the best for both minister and people, that 'they who preach the Gospel, ' should live of the Gospel;'—that is, to adopt our Author's gloss, that 'the churches should provide a competent maintenance for their pastors,' and that they should be 'understood to dedicate their talents and their time *exclusively* to ' the work for which they thus receive a remuneration.' It is, we admit, an unhappy necessity, that renders it impossible to adhere invariably to this wise rule; and pluralities, properly so called, which involve a compromise of pastoral duty, if not of the pastoral character, whether consisting in a union of distinct charges, or of distinct professions, are condemned alike by every Scriptural principle, and by the melancholy records of experience. In many of Mr. Burns's remarks we fully concur; his reasoning in the case of Principal M'Farlane, appears to us conclusive: we only regret that he has mixed up with the main argument, what appears to us irrelevant and questionable matter, and that he has not paid sufficient attention to the obvious exceptions which must be made to the general principle.



Art. IX. *Letters from an absent Brother*, containing some Account of a Tour through Parts of the Netherlands, Switzerland, Northern Italy, and France, in the Summer of 1823. In 2 vols. 12mo. Second Edition. Price 12s. London, 1824.

THE first edition of these Letters was restricted to a private circulation, but we should much have regretted their being withheld from the public. Though evidently written with no view to their undergoing the ordeal of the press, being the unstudied and familiar effusions of the moment, they cannot fail to be acceptable to a large class of readers, on account of the specific information which they convey, on points seldom touched on by our Continental tourists. This 'diary of an invalid' is not that of the virtuoso or the antiquary, the geologist or the mere man of taste: it has for its author an English clergyman, who, when he crossed the water, left no part of his character behind him. His apology for the publication, though it may be deemed superfluous, will explain the views and motives which have actuated the Writer.

'The Author confesses that it does not appear to him to be inconsistent with the character of a minister of Christ, to publish a familiar and even imperfect account of a tour rendered indispensable by indisposition, if the tendency of it is to assist the English Protestant to associate religious and moral ends with the pursuit of health or improvement in foreign travels.

'The reader must not expect in these Letters any thing of the studied and minute details of a regular tourist. The Author makes no such pretensions. He travelled as an invalid and a clergyman, after a life spent in theological pursuits, and his attention was most strongly directed to the beauties of nature, and to inquiries into subjects connected with morals and religion. The facts which he records, illustrative of the superstitions of Popery, or the indifference of Protestantism, of the moral and social condition of the inhabitants of different countries, and of the estimate formed of spiritual and vital Christianity, he simply describes as they fell under his own observation.'

Since Mr. Sheppard's *Recollections of a Tour on the Continent*, no work has come before us, containing any competent account of the religious aspect of the neighbouring countries. The brief notices contained in the publications of the Bible Society and its secretaries, are nearly the only documents that we possess, bearing on this subject. Our tourists describe Paris, and Waterloo, and the Simplon, and give us anecdotes of Bonaparte and the Bourbons; but the question of paramount interest, which they afford us extremely little aid in determining, is this: What have the last five and twenty years

effected for the moral condition of the people? What is Popery, and what is Protestantism, in 1824?

Mr. Wilson—for it is no longer any secret that we are indebted for these volumes to the much respected minister of St. John's, Bedford Row—has supplied us with abundant evidence, evidence forcing itself on our observation every where in foreign countries, though here there are Protestants who affect to doubt it,—that Popery is, what Popery ever has been. On arriving at Courtray, he was struck with the cheerfulness and neatness of the town, and its general beautiful appearance.

‘But alas! the whole place is given to superstition. At every lamp through the streets an image of the Virgin is suspended; not a Protestant in the town. In England, we have little idea of the state of things in Catholic Europe; there is a darkness *that may be felt.*’

At Brussels, the priest who shewed the church of St. Gudule, told the Travellers with perfect sang-froid, that ‘some Jews ‘having, four centuries ago, stolen the host from the church, ‘and stabbed it, blood miraculously issued from it, and destroyed them!’ At Aix,

‘a priest gravely shewed us a nail and several pieces of the wood of the cross; the sponge in which the vinegar was offered to our Saviour; a part of the girdle of our Lord; a link of the chain with which St. Peter was martyred; an arm and some of the hair of John the Baptist; a tooth of St. Thomas; some bones of Simeon, &c. I asked the priest if all these were matters of faith. He replied, “No, but they rested on the most undoubted historical evidence.” Oh, the gross impositions of this corrupt church!’

At Bergheim, they found the church filled with superstitions. A procession of two hundred persons is stated to have come eighteen miles, only the day before, to sing hymns in honour of the Virgin.

‘Under an image of our Lord, we found these words: “Thou who passest by, honour always the image of Christ; but adore not the image, but him whom it represents.” It is thus precisely that a heathen priest would have excused his idolatry.’

In the cathedral of Cologne, the principal raree-show consists of the heads of the three wise men who visited our Lord, with their names inscribed over each, Caspar, Melchior, Balthasar; not in pickle, like the heads of the New Zealanders at Surgeons’ Hall, but—‘enshrined in massy silver gilt, adorned with ‘precious stones.’ Another church in this city boasts of the relics of St. Ursula and her eleven thousand British Virgins!

These are but specimens of German Popery. ‘We amazingly over-state,’ remarks Mr. Wilson, ‘the comparative amount



‘ of good effected by our Societies ;—the world is still “ dead “ in trespasses and sins :” vast tracts of barren Protestantism, or untilled and fruitless Popery, stretch all around us.’ The importance of the Holy Scriptures and of the Bible Society, forced itself upon his mind at every step. He adds, however, that

‘ the state of true religion is, on the whole, improving in Switzerland and some parts of Germany. Truth, holiness, and unity increase ; hundreds of Catholics receive Bibles, and attend Protestant churches. The Lutherans and Reformed have begun to unite in the common term Evangelical. The Antistes and most of the clergy preach and live according to the Gospel. On the other hand, the Court of Rome threatens ; the Pope is aroused : he thinks the Protestants have begun to propagate their views by Bible and Missionary Institutions, and he is determined to oppose them. The Jesuits are the Pope’s household troops ; they are spreading every where, and resisting, in the most open manner, every attempt at Scriptural education. *The Holy Alliance is thought to favour the Pope and the Jesuits*, by acting on the idea that all societies are dangerous.’

Vol. I. p. 111.

So ; the Holy Alliance, now that Lord Castlereagh is gone, is found out to be but a political juggle, even by the warmest admirers of that most Irish statesman. How long ago is it since to have breathed a suspicion as to the purity of the motives by which that august triumvirate of despots were actuated, would have subjected us to the imputation of radicalism ? Let us have patience, and in a few years, even the Alien Act will be reprobated by the most loyal, and Bonaparte himself will be extolled in the *Quarterly Review*, as next to Cromwell among the illegitimates. We could scarcely believe our eyes, when we read the following daring panegyric upon the usurper, from the pen of Mr. Wilson.

‘ History will soon sit in judgment on this extraordinary man. His scepticism as to all religious truth, his unbounded ambition, his waste of human life and happiness in the prosecution of his projects, the injustice and treachery of his invasions, the iron yoke which he imposed on the subject nations, his unmitigated hatred of England, his individual acts of cruelty and blood, are points now generally admitted. But it is impossible to travel on the Continent, without being compelled to witness the proofs of his admirably policy, and of his zeal to promote, in many respects, the welfare and moral advancement of the people over whom he reigned. Not to dwell on the liberty of public worship which he nobly granted the Protestants of every confession ; there is something so splendid in his national works, there are so many monuments of his legislative wisdom, so many traits of grandeur in his projects, that you do not wonder that his name is still every where revered. He, in fact, brought royalty

and talent into such close contact, that there was some danger of men beginning to estimate the value of a sceptre by the mere ability of the hand that wielded it. The unfavourable tendency of this unnatural union of splendid vice and glorious ambition, on the public morals and the religious habits of Europe, is obvious—it debases the best principles of the heart. Of Bonaparte, as an unconscious instrument of Divine Providence for scourging guilty nations, for shaking the papacy to its base, and arousing those dormant energies in the mass of the population of Europe, which may probably issue in the general diffusion of a reasonable liberty, and of all the blessings of the glorious Gospel of Christ, I will not trust myself to speak. This view, though the most correct perhaps, has been far too exclusively taken already by religious persons.'

Vol. II. p. 233.

If this view be the most correct, it ought at least never to be lost sight of; but we do not think that it has by any means been too exclusively taken by religious persons,—or even sufficiently attended to, till now, of late, that the tide of opinion is beginning to turn in favour of a more English and Christian policy. The following remarks are highly deserving of attention.

'It is very observable, that where Popery is now reviving in its influence, after the French revolutionary struggles, or the iron laws of Bonaparte, it returns with all its folly about it. It is not learning a lesson of wisdom, and silently following its Pascals and Fenelons, and dropping some of its grosser corruptions; but re-assumes all its arts, its impositions, its ceremonies, its incense, its processions, its pilgrimages, its image-worship, its exclusive claims, its domination over the conscience, its opposition to the Scriptures, its hatred of education; and this in the full face of day, and in the nineteenth century, and with infidelity watching for objections to our common Christianity. And what is the general moral effect of this system? It neither sanctifies nor saves. A depth of vice, glossed over with outward forms of decency, eats as doth a canker. Voluptuousness, impurity, dishonesty, cunning, hypocrisy, every vice prevails just as Popery has the more complete sway. The dreadful profanation of the Sabbath has by prescription become fixed. All the holy ends of it are now forgotten, unknown, obliterated. It is the habitual season of unrestrained pleasure. I speak generally; for there are doubtless multitudes of individual Catholics who serve God in sincerity and truth; and who, disregarding the accumulations heaped on the foundation of the faith, build on Jesus Christ and him crucified. There is one class of persons in Catholic countries, which I compassionate from my heart. They are not sunk in superstition, nor have they imbibed the piety of true disciples of Christ; but, having been educated during the Revolution, they have acquired a general boldness and liberality of sentiment; see through much of the mummery of Popery; detect the spirit and aims of a worldly minded



priesthood ; are disgusted at the revival of the Jesuits, the opposition to the Bible Society, the resistance to education, the disturbance and removal of the most pious and worthy masters and professors, the persecution of the Protestants, &c. And yet, they are not in earnest enough about religion to take a decided part : the objections of infidels dwell upon their minds ; the fear of reproach prevents their quitting the Roman communion ; there is nothing in the Protestantism they are acquainted with, to shew them a more excellent way. Thus they glide down the fatal stream with others, dissatisfied and yet unconverted.' Vol. II. pp. 252—254.

Some noble exceptions, however, stand out in bold relief amid this gloomy picture. Our readers are familiar with the name of Leander Von Ess. He was unfortunately from home, when Mr. Wilson arrived at Darmstadt ; a severe disappointment. This admirable man, now in his fifty-second year, has had a spitting of blood for above four years, which prevents his preaching, but he gives himself up to the propagation of the Gospel. He has left the university of Marburg, where he was professor, and now lives under the Protestant Grand Duke of Hesse Darmstadt. He remains, however, a Catholic priest, but with the spirit of a Reformer. He has printed fourteen large editions of his New Testament, and circulated altogether 494,860 copies. The desire for the Scriptures among the Catholics, priests as well as laity, continues to increase ; and sometimes, he circulates as many as 7000 in a single month. Lately, a priest in one parish sent for 2000 New Testaments : the parish is in the Black Forest.

A very interesting account is given of the conversion of a Catholic priest, named Henhöfer, who became a true Christian by reading the Scriptures, and with his whole congregation, consisting of forty families, with the lord of the village at their head, ' turned from the Catholic to the Evangelical ' Lutheran Church.'

' M. Aloyx Henhöfer was Catholic curé of the communes of Mulhausen and Steineyg (between Carlsruh and Stutgard). In proportion as he studied the sacred Scriptures, with a conscientious desire to fulfil his pastoral duties, his preaching began to savour of the doctrine of Christ ; and he gradually proclaimed the Gospel with so much unction and force, that multitudes came from the most distant villages to hear him. He was soon cited to appear before the Ecclesiastical authorities at Bruchsal, to give an account of his doctrines. It was on this occasion he published his " Christian Confession of Faith," in which he declares, that, all the time he was curé of Mulhausen, he never said a word contrary to the principles of the Catholic Church ; and when he preached against the abuse of ceremonies, it was only to combat the error of some of his parishioners, who thought to satisfy their consciences by merely observing the ex-

terior forms of religion. The authorities of Bruchsal deprived him of his living, declaring that, by his "Confession," he had pronounced his own separation. The Baron de Gemmingen, lord of the parish, with all his household, and the curé Henhöfer at the head of forty families, comprising about 220 persons, soon after publicly separated themselves from the Church of Rome. They made a profession of their faith in the evangelical doctrines in the Baronial chapel of Steineyg; and then, as many of them as were adults, received the Holy Communion according to the rites adopted since the re-union of the Lutheran and Calvinistic churches. This affecting ceremony was celebrated in a Catholic country, in the midst of a crowd assembled from all the neighbouring places, with doors and windows open, without the slightest interruption or disturbance—a proof of the excellent temper which prevails between the two communions in the Grand Duchy of Baden. As about half the parish of Mulhausen remained Catholics, and the new converts had of course no claim to the revenues of the livings, nor to the use of the parish church, they have for the present joined themselves to the parish of Urbain de Pforzheim; and Divine service is celebrated in the chapel of the castle of Steineyg. M. Henhöfer has not at present thought it right to remain as their pastor, on account of the umbrage it would give the Catholics. Nevertheless, he was examined as a Protestant candidate, April 11, 1820, and was ordained the following day. He is a pious, calm, amiable man, who has acquired surprising influence by his personal character. His publication has created a lively sensation in Alsace, and the Catholics read it with even more eagerness than the Protestants.'

From this most interesting statement, it would seem that, in the case of conversions from the Church of Rome, if the convert be a priest, re-ordination is practised by the Continental Protestant churches. Romish ordination is held valid by the English Episcopal church, though Presbyterian ordination is not. After reading such a narrative as this, one is ready to ask, Why do we hear of no such conversions from Popery in England? Is there any thing which renders the mind of an English papist less accessible than that of a foreigner of the same persuasion, to the influence of Scriptural truth? In the case of the pastor Henhöfer, the Scriptures studied with humble prayer, seem, under the influence of the Holy Spirit, to have been the only guide. In a land of Bibles like our own, one might hope to hear of many such instances. Has the spirit of the Reformation quite spent itself in England? Or do we know of no other means of combating popery, but legislative enactments? If popery is on the increase among us, if it is not losing ground, and losing hold of the minds of its votaries, what are Protestants about? What would be thought, if Mahommedism was spreading in this country? We know



not why that should be deemed a more portentous evil, or why it should be considered as more disgraceful for Christianity and the Bible to lose ground before the Prophet and the Koran, than before the Man of Sin and his priests. We are disposed to regard the non-occurrence of secessions from the Church of Rome in this country, as one of the most alarming features of the times. In Ireland, converts are made by education and the Bible, but not among the priests. We may petition the Legislature against Popery, but it will not yield to such weapons. "This kind goeth not forth but by prayer" and "the sword of the Spirit, which is the word of God."

But what is Continental Protestantism?

'Alas!' says Mr. Wilson, 'I see deism, infidelity, indifference, a secret contempt of religion, too widely prevailing even here. I observe a cold celebration of a few great festivals; but the Sabbath desecrated—holiness of life too little exemplified—the principles of grace, from which only it can spring, forgotten—the Reformation, with its glorious truths, corrupted and obscured. I see persecution itself, the most odious part of Popery, transplanted to Protestant bodies, and an open defection from the Gospel avowed in the city which was once the praise of the churches. Thank God, things are in many places greatly improving both among Catholics and Protestants; and the opened Bible, the spirit of free inquiry after truth, the power of conscience, the intercourse of different Protestant States, the operations of various religious societies, the judgements of God which have been abroad in the earth, and above all, the Divine mercy visiting and subduing the heart, have produced a wonderful change. And in some quarters, the purity of the Gospel has flourished without interruption or decay. But taking a view of the present state of the Continent generally, in its two great families of Catholics and Protestants, the Christian Traveller cannot but be affected even to depression with the prevailing degeneracy.'

At Lausanne, the spirit of intolerance has lately assumed the shape of the most determined persecution. As soon as any person gives offence to the clergy, the magistrates make no scruple of banishing him at once. 'They allow no dissidents from the Establishment, not a soul: a minister who is suspended cannot preach at all.' Mr. Wilson has given a copy of an *Arrêté* which has recently been published at Lausanne, drawn up in the precise language which persecutors have uniformly adopted since Louis XIV. revoked the Edict of Nantes. It is directed against the new sect called the *Momiers*; that is, in fact, pious, evangelical nonconformists, who are acknowledged, says Mr. Wilson, on all hands, to be peaceable members of the Republic, unexceptionable in their moral conduct, and pious, devoted Christians. This edict forbids all private

religious meetings, and directs magistrates to dissolve such meetings by force. Every person found guilty of being present at these meetings, is to be punished with fines, imprisonments, &c. 'Thus is the Inquisition of Spain transferred to Protestant Switzerland, and the noblest gift of the Reformation, 'liberty of public worship, openly violated.'

'And is it in Switzerland,' exclaims Mr. Wilson, 'Switzerland, the nurse of the Reformation, the country of Zuingli, and Ecolampadius, and Beza; Switzerland, the last refuge of religious liberty in Europe, that this has taken place? O, who can too strongly express his detestation of such intolerant and unchristian measures.... But so it is. The clergy, when they refuse to accept of Divine grace, have always been the worst of enemies to real spiritual religion. All experience declares this, and especially the history of the sufferings of Christ our Lord.'

The open persecution at Lausanne is not, however, so afflictive a circumstance as the open denial of the Reformed Faith by the Church of Geneva. Mr. Wilson has devoted a note in reply to the laboured apology for the Pastors, contained in M. Simond's work on Switzerland, who, while he regrets the issuing of the '*reglement*' of May, 1817, is disposed to regard it as necessary to preserve the peace of the church. 'But 'the real question is,' remarks Mr. W., 'whether any body of 'ministers have a right to alter, conceal, or check the full and 'fair development of the great truths of Revelation, on the 'plea of preserving peace.' We shall probably have occasion to advert again to this subject in our next Number, and must, therefore, only add, that Mr. Wilson bears his testimony to the existence of much sincere and simple devotion among many individuals at Geneva, notwithstanding the general state of that fallen Church.

Mr. Wilson was much charmed with Lyon, which has been regularly increasing in population and commerce since the peace of 1815. Out of a population of 175,000 souls, five or six thousand are Protestants; yet, they have only one church, and but one service in that church. There is a Bible Society here, but it is not flourishing. 'The Government now is not 'favourable to the Protestants.' But this is not so bad a state of things as at Paris, where Mr. Wilson found only one public service on the Sunday, for a population of nearly 30,000 Protestants. In fact, speaking generally, he says, the Sabbath is utterly lost on the Continent: 'it is no longer the Lord's 'day, but the day of the god of this world.' When it is spoken of, it is called a *fête* or holiday, indiscriminately with the Nativity or Assumption of the Virgin Mary. Nay, the



newspapers, the theatres, &c. are actually suspended on St. Francis's day, or the Feast of the Virgin, but, on the Sunday, are regularly carried on, and more eagerly followed than ever. The Sunday is, in short, the day for shows, amusements, dissipation, and vicious pleasures of every kind. And what is worse than all, these things are countenanced by Englishmen.

Upon the whole, there is much that is lamentable and affecting, but not a little that is animating, in Mr. Wilson's account of the present state of the Continent. His work has deeply interested us, and we strongly recommend the perusal of it to our readers. We have unavoidably passed over much that is attractive and entertaining in the Author's descriptions of the exquisite scenery through which he travelled, on the banks of the Rhine, and in the recesses of the Alps; the volumes abound too with much valuable information of a general nature. Our object has led us to fix on the graver features of the work, from which we might otherwise have made more amusing selections. It is such travellers as Mr. Wilson, that we would have go forth as the representatives of English Christians: it is with such sentiments and feelings as breathe through these volumes, that we could wish,—were it not a vain hope,—that Englishmen might return. The prejudices against the Protestant doctrine and evangelical truth, which the ill conduct of Englishmen abroad have implanted or confirmed, are, Mr. Wilson says, deplorable. On the other hand, what incalculable good might English travellers diffuse, who should learn from these volumes to connect with their own health and gratification, the promotion of higher objects, and the recommendation of the religion they profess!

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Art. X. *Warreniana*; with Notes, critical and explanatory, by the Editor of a Quarterly Review. f.cap 8vo. London, 1824.

**W**E enjoy humour, but we detest vulgarity and profaneness; and if we cannot have one without the other, must forego the human prerogative of laughter altogether. If our readers are of the same opinion, they will not waste their money on this book, which is only the old joke of travestie over again. In the "Rejected Addresses," it was amusing enough; but it is now stale and quite unprofitable. The subject of the poems is Warren's Blacking, and of course the wit is only a thin vein, running through a thick stratum of absurdity. The mine does not pay for the working.

- Art. XI. 1. *The Tract Magazine, or Christian Miscellany.* Nos. 1 to 4. 12mo. Price 1d. London, 1824.
2. *The Gospel Tract Society* Nos. 1 to 10. 12mo. Price 1d. each, or 4s. per hundred. London, 1823, 4.
3. *The Teacher's Offering, or Sunday School Monthly Visitor.* Edited by the Rev. John Campbell. No. XVI. April, 1824. Price 1d.
4. *The Children's Friend.* Edited by the Rev. W. Carus Wilson, A.M. Vicar of Tunstall. No. IV. April, 1824. Price 1d.
5. *The Child's Companion, or Sunday Scholar's Reward.* No. IV. 32mo. Price 1d. (Printed for the Religious Tract Society.)
6. *The Child's Magazine.* Edited by Mrs. Sherwood. No. IV. 32mo. Price 1d.

THE present generation certainly bids fair to be 'penny wise:' we hope there is no danger of its turning out 'pound foolish.' The prodigious improvements made in the moral machinery of society, the diffusion of education among all classes by means of Sunday Schools, and the consequent over-stimulated activity of the press,—cannot be more strikingly shewn than by the multiplication of publications like these. We might have added to the list, three-penny and four-penny periodicals almost without end. We cannot but rejoice in the immense increase of that class of readers among whom such works find purchasers and readers. Knowledge cannot be made too cheap: we entertain no jealousies respecting its widest and most unrestricted diffusion. Whatever evils can arise from knowledge, find in knowledge their only antidote. If the element becomes vitiated, it is only through being compressed and confined: give it vent, and it will become pure. Religion, objectively considered, (to use a favourite phrase with our old divines,) is itself only knowledge of the highest kind, and knowledge homogeneous with every other kind. But though we are not jealous of the diffusion of knowledge, we may have reason to watch with some solicitude, the channels by which it finds its way to the mind,—the tunnels and pipes by which it is distributed. Are not we Reviewers constituted by public consent, commissioners for watching, paving, and lighting as it were the high road to knowledge? Here is, however, a new case for which the Act does not provide,—a modern improvement, sprung up like the Gas lights, which seems to bid defiance to our vigilance, and to evade our cognizance altogether. This Penny and Two-penny literature, this small retail of knowledge by the stick and the pottle, does



not bring the dealer under the denomination of regular traders and shop-keepers; and we know not how to proceed against them in case of misbehaviour, unless we can swear to them as a nuisance, or indite them under the Vagrant act. Some of these parties write great names over their stalls, as if in defiance of the beadle or magistrate. Thus, one penny magazine puts up the popular name of Mrs. Sherwood; another, that of a much esteemed clergyman; a third, that of John Campbell, whose book about Africa every one has read; and a fourth, that of the Religious Tract Society. Why, who would enter the lists with the whole Tract Society? And then, just in front of their stall, here is Dr. Hawker opening an opposition 'Gospel Tract Society,'—a sly intimation that *the* Tract Society do not deserve that appellation, do not favour, by their publications, the gospel according to Dr. Hawker. It begins, surely, to be time that these matters were looked into, and that neither hawkers, nor pedlars, nor tract companies, should be suffered to trade without a licence.

One word with regard to the Tract Society, whose apparent invasion of the province of the Trade has subjected them, it seems, to some severe animadversions. It may be thought high presumption in us, to offer any objection to plans 'repeatedly discussed and fully considered; but, without casting the slightest imputation on the motives of the Committee, we must express our regret that a measure, not unanimously approved by their own body, and involving the Society in all the responsibilities of authorship,—a measure, too, which has so invidious and trading a character,—should have been engaged in. The very tone of apology which the Committee have found it needful to adopt, proves that the step was an unwise one. The apology for the Tract Magazine, is, that nearly all the religious societies of any magnitude publish some periodical account of their proceedings. But out of twelve pages in each of the last three numbers, three only relate to the proceedings of the Tract Society, and many of the extracts are not of very high importance. We should have imagined that if quarterly extracts were thought necessary, it would have been better to lay the charge of a penny upon them. Other religious societies publish reports of their proceedings and extracts from correspondence; but, with the exception of the Home Missionary Society, we recollect no other that has had the indiscretion to commit itself by a miscellaneous magazine. The Missionary Register, connected with the Church Missionary Society, is strictly confined to articles of intelligence. The London Missionary Society is by no means responsible for the Evangelical Magazine. But, in the present instance, we have

the Tract Society—one of the most useful and efficient of our popular religious institutions—identifying itself with a “Christian Miscellany,” conducted by an anonymous Editor, unsanctioned by the names of its proper Officers, who ought to be responsible for its contents, and, in the style and character of its composition, far below some of the rival penny-worths. In the last Number, we open upon the following remarks ‘on the heart.’

..... ‘The difficulty’ (of reconciling the phrase pure in heart with the doctrine of human depravity) ‘perhaps consists in our misapprehension of the word *heart*: it is not unusual to confound it with the affections or feelings, desires or wishes, which indeed more or less influence, but are distinct from, the heart itself. The heart in man is his *will* or *purpose*.’

Is this a style of writing adapted to the readers of tracts? Is an Institution like the Tract Society to lend its sanction to the publication of crudities like this? The statement is as incorrect as it is muddy: the heart *does* mean the affections, both in Scripture and out of it, and to affirm the contrary can serve only to perplex a simple reader. Then for poetry, in the same Number, we have ‘the dying Christian,’ to the metre—we hope not the tune—of “Poor Mary Anne.”

‘When the spark of life is waning,  
Weep not for me;  
When the languid eye is straining,  
Weep not for me,’ &c.

The “Child’s Companion” appears to be conducted in much better taste. With less of an official air about it, it is more worthy of the Society. But still we doubt the expediency of a general society like the one in question, entering the lists of authorship, and deviating so widely from its original plan, in order to cater to the passion for novelty. The character of the Society must greatly depend on the respectability of its publications. We have long regretted that these are not *uniformly* the best of their kind, either in style or matter. It is not a tract’s being issued from No. 56, Paternoster Row, that will give it currency, if proper measures are not taken to secure the Institution against being outvied by private speculators in the quality of their articles.

We find that we have not room to notice Dr. Hawker—but he deserves an article for himself.



## ART. XII. SELECT LITERARY INFORMATION.

A New Romance, by the Author of *Waverley*, is expected in the course of the Spring.

In the press, Appendix to Captain Parry's Second Voyage of Discovery, containing the natural history, &c. 4to.

The Private Journal of Captain G. F. Lyon, of H.M.S. *Hecla*, during the recent voyage of Discovery under Captain Parry. 8vo.

Narrative of the Proceedings of the Expedition to explore the Northern Coast of Africa, in 1821 and 1822. By Captain F. W. Beechey, R. N. and H. W. Beechey, Esq. 4to.

Narrative of Four Voyages of Survey in the Inter-Tropical and Western Coast of Australia, between the years 1817 and 1822. By Philip Parker King, R.N. Commander of the Expedition. 4to.

Narrative of a Voyage of Discovery in the Interior of Africa, from the Western Coast to the River Niger, in 1818, 1819, 1820, and 1821. By Brevet Major Gray. 8vo.

Lisbon, in the years 1821, 1822, 1823. A Sketch of the manners and customs of Portugal, made during a residence in Lisbon. By Marianne Baillie. 2 vols. small 8vo.

Excerpta Aristophanica. By Thos. Mitchell, A.M. 8vo.

Six Months' Residence and Travels in Mexico, containing remarks on the present state of New Spain, its natural productions, &c. &c. By W. Bullock, F.L.S. 8vo.

Travels in South America, during the years 1819, 1820, and 1821. By Alexander Caldiclough, Esq. 4to.

Journal of a Tour in Asia Minor. By William Martin Leake, F.R.S. 8vo.

The Periodical Press of Great Britain and Ireland; or an Inquiry into the state of the Public Journals, chiefly as respects their moral and political influence. 1 vol. 12mo.

Scenes and Impressions in Egypt and in Italy. By the Author of "Recollections of the Peninsula." 8vo.

Conversations on Geography and Astronomy, illustrated with plates woodcut, &c. 1 vol. 12mo.

Memorials of the Public Life and Character of the Right Honourable James Oswald, of Dunnikier, M.P. &c. &c. contained in the correspondence

with some of the most eminent men of the last Century. Handsomely printed in 1 vol. 8vo. with portrait. This correspondence, commencing from the year 1740, embraces a period of nearly forty years of the most interesting portion of our national history, upon some parts of which it will be found to throw considerable light. Among the many distinguished persons who corresponded with Mr. Oswald, were the Duke of Argyll, the Duke of Newcastle the Earl of Chatham, the Earl of Halifax, the Earl of Bute, Bubb Doddington (afterwards Lord Melcombe Regis), the Right Honourable W. G. Hamilton, the Right Honourable H. B. Legge, Lord Kames, Adam Smith, David Hume, &c.

Memoirs of Antonio Canova; with an Historical Sketch of Modern Sculpture. By J. S. Memes, A.M. 1 vol. 8vo. with a portrait and other engravings.

\* \* \* Through the kindness of an intimate friend of Canova, the Author has enjoyed the advantage of consulting original correspondence and other authentic sources of information.

A Memoir of the Life of the Right Honourable Edmund Burke, containing an estimate of his genius and talents as compared with those of his great Contemporaries. By S. Prior, Esq. In 8vo. with a portrait and autographs.

Mementoes, Italy, Historical and Classical. of a Tour through part of France, Switzerland, and Italy, in the years 1821 and 1822. Including a summary history of the principal cities, and of the most memorable revolutions, a description of the most famed edifices and works of art; with an account of the most striking classic fictions, ceremonies, &c. &c. In 2 vols. 8vo.

Elements of Physiology. By J. Bostock, M.D. In 8vo. The object of this elementary treatise, is to give an account of the present state of the Science, an abstract of the best established facts and observations, with a concise account of the prevailing theories.

Naval Battles, from 1744 to the Peace in 1814, critically revised and illustrated by Charles Ekins, Rear Admiral, CB. RWN. With numerous illustrative plates. In 4to.

## ART. XIII. LIST OF WORKS RECENTLY PUBLISHED.

## MISCELLANEOUS.

Imaginary Conversations of Literary Men and Statesmen. By Walter Savage Landor, Esq. 2 vols. 8vo. 1l. 4s.

Memoirs of Captain Rock, the celebrated Irish Chieftain, with some account of his ancestors. Written by himself. fcap. 8vo. 9s.

Critical Researches in Philology and Geography; containing, I. Review of Jones's Persian Grammar, the eighth edition, with considerable additions and improvements, by the Rev. Samuel Lee, M.A. D.D. Professor of Arabic in the University of Cambridge. II. An Examination of the various Opinions that in Modern Times have been held respecting the Sources of the Ganges, and the correctness of the Lamas Map of Thibet. III. Review of an Arabic Vocabulary, and Index to Richardson's Arabic Grammar, by James Noble, Teacher of Languages in Edinburgh. IV. Appendix. 8vo. 8s.

The Perennial Calendar, and Companion to the Almanac; illustrating the events of every day in the year, as connected with History, Chronology, Botany, Natural History, Astronomy, Popular Customs, and Antiquities; with useful rules of health, observations on the weather, an explanation of the fasts and festivals of the Church, and other miscellaneous useful information. By Thomas Förster, F.L.S. M.B. &c. &c. Fellow of C. C. College, Cambridge, 8vo. 18s.

Fatal Errors and Fundamental Truths: illustrated in a series of narratives and essays. Copy 8vo. 9s.

The Spanish Daughter, sketched by the Rev. George Buft, late chaplain in ordinary to his majesty, corrected and revised by his daughter, Mrs. Sherwood, author of "Stories from the Church Catechism." 2 vols. post 8vo. 16s.

The Adventures and Sufferings of J. R. Jewitt, only survivor of the ship Boston, during a captivity of nearly three years among the savages of Nootka Sound; with an account of their manners, mode of living, and religious opinions of the natives. 12mo. 5s.

The History of Ancient and Modern Wines. With embellishments from the antique. 4to. 2l. 2s.

## THEOLOGY.

Observations on the Religious Peculiarities of the Society of Friends. By Joseph John Gurney. 8vo. 9s.

Of the Use of Miracles in Proving the Truth of Revelation. By the Rev. John Penrose, Jun. M.A. formerly of C. C. C. Oxford. 12mo. 2s. 6d.

An Epitome of Paley's Evidences of Christianity: containing the substance of the arguments comprised in that work, in the catechetical form. By a Member of the university of Cambridge. 12mo. 3s.

Tactica Sacra: an attempt to exhibit to the eye, by tabular arrangements, a general rule of composition prevailing in the Holy Scriptures. By the Rev. Thos. Boys, A. M. of Trinity College, Cambridge, Curate of Widford, Herts. royal 4to. 10s. 6d.

The Parables of our Blessed Saviour, practically explained, selected from the larger commentary of the pious and eminent George Stanhope, D.D. late Dean of Canterbury. By the Rev. C. M. Mount, A.M. late Fellow of Corpus Christi College, Oxford; Rector of Helmdon: Minister of Christ Church, Bath; and Chaplain to the most noble the Marquis of Ormond. 12mo. 4s. 6d.

Sermons on the Principal Events and Truths of Redemption. To which are annexed, an address and dissertation on the state of the departed, and the descent of Christ into hell. By John H. Hobart, D.D. Bishop of the Episcopal Church in the state of New York. 2 vols. 8vo. 1l. 1s.

## TRAVELS AND TOPOGRAPHY.

Travels in Brazil, in the years 1817, 18, 19, and 20. Undertaken by the command of his majesty the King of Bavaria, and published under his special Patronage. By Dr. John Von Spix, and Dr. Charles Von Martius, members of the Royal Bavarian Academy of Sciences. Translated from the German. 8vo. Vols. I. and II. with plates 1l. 4s.

Leaves from a Journal; or, Sketches of Rambles in North Britain and Ireland. By Andrew Bigelow, Medford, Massachusetts. Small 8vo. 6s.